

Disciplinary Procedures and Sanctions

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MALTA FOOTBALL ASSOCIATION

REGULATIONS FOR THE CONTROL OF MISCONDUCT AND ALL KINDS OF INCIDENTS DURING FOOTBALL MATCHES

1. Liability of Clubs

- a. Clubs are responsible for the behaviour and actions of their players, committee members, officials and supporters within the venue or within the precincts of the venue where a match was played or was due to be played, before, during or after the end of such match and all matters relating thereto, shall be decided upon by the Control and Disciplinary Board of the Association hereinafter referred to as “the Board” according to the Regulations hereunder established referred to as “the Regulations”

For the purposes of this article “Precincts” shall mean wherever within the actual stadium, futsal hall and surrounding area of such stadium or hall of approximately up to 200 metres;

For the purposes of these regulations a “Club” shall mean to include, unless otherwise specified, its players and/or committee members and/or its officials and/or their supporters and/or any other person representing the Club in any other function;

For the purposes of these regulations a “Match” shall mean to include, unless otherwise specified, all matches played in a competition directly run by the Malta Football Association “the Association” or run by a Member Association or run by an Affiliated Association and includes friendly matches which are organized by the above.

- b. A Club shall be called upon to account for all kinds of misconduct and incidents caused by the Club even if a match, for any reason whatsoever, is subsequently declared null and void or has been discontinued or abandoned or did not take place at all and irrespective of whether the match is not deemed to be a competitive match

2. Liability of Individuals

- a. Individuals upon whom the Association has jurisdiction shall be also personally answerable for all kinds of misconduct and incidents caused, or aided, or abetted by them together with the club they represent as provided for in regulation 1 above, which matters shall be dealt by the Board unless the matter falls within the jurisdiction of the Disciplinary Commissioner as provided hereunder.
- b. The Board shall also have the power to apply any of the regulations which fall under the sub-heading of the “Disciplinary Commissioner” as provided hereunder if the matter so provided.
- c. For the purposes of these regulations jurisdiction is determined as at the time of the breach, act, misconduct or incident for which a person is charged.

3. Disciplinary Sanctions

- (a) Unless otherwise prescribed, and in the event that an act which is not provided for in these regulations is committed, and which act is nevertheless a wrongful act, the disciplinary sanctions which may be imposed by the Board are the following:

(i) In the case of Clubs

- (a) to caution;
- (b) to censure;
- (c) to fine;
- (d) to annul matches and possibly to order matches to be replayed;
- (e) to deduct or completely annul points in competitions;
- (f) to declare matches forfeit;
- (g) to order matches to be played behind closed doors;

- (ii) In the case of Individuals
 - (a) to caution;
 - (b) to censure;
 - (c) to fine;
 - (d) to suspend (for a specific number of competitive matches and/or for a specified period of time, or suspension from all official functions);
 - (e) to suspend for life.

(b) The penalties may be combined according to the gravity of the offence. Suspended decisions may be given save where otherwise specifically provided otherwise.

4. Specified Cases of Misconduct and/or Incidents and Penalties

The following are specified cases of misconduct and/or incidents and penalties applicable to them:

A. A Match, which falls short of its stipulated Duration because of Incidents

If a match falls short of its stipulated duration because of incidents and:

- (a) the cause, whatever this may be, is attributed to only one of the participating Clubs such Club shall:
 - (i) be considered to have lost the match and the match shall be awarded to the other Club; and
 - (ii) forfeit its share of the gate money, which shall accrue to the Association; and
 - (iii) shall be further dealt with by the Board according to these regulations.
- (b) the cause, whatever this may be, is attributed to both participating Clubs both Clubs shall:
 - (i) be considered to have lost the match; and
 - (ii) forfeit their share of gate money, which shall accrue to the Association; and
 - (iii) be further dealt with by the Board according to these regulations.

If, in the opinion of the Board, as a result of a match which has fallen short of its stipulated duration shall damage the interests of a third party Club, the Board, in further dealing with the Club/s responsible for this offence, shall consider this factor as a major aggravating circumstance when deciding the matter.

B. A Match, which falls short of its stipulated Duration because a Team or both Teams fail to take the Field during the course of a Match

If a match, after it has commenced, falls short of its stipulated duration because one of the teams or both teams either leave the field of play or fail to take the field of play after half-time or after any stoppage ordered by the referee and the cause is not attributed to “force majeure” but is attributed to a Club, or of both Clubs, the following punishments shall be meted out:

- (i) if the players are at fault:
 - (a) the guilty Club/s shall incur the penalties in accordance with Clause A above; and
 - (b) the guilty players shall be suspended for a minimum period of three (3) years.
- (ii) if the committee members, or any of them, and/or other officials of a Club, or of both Clubs are at fault:
 - (a) the guilty Club/s shall incur the penalties in accordance with Clause A above; and

(b) the guilty Club/s shall be immediately suspended from the Competition in which the offence has taken place and the Club/s, at the end of the season, shall be relegated to a lower division or ousted out of the National League if the Club/s are competing in the lowest division. However, in the case of a Member Club which is entitled to play in the lowest division of the National League, it shall be fined the sum of five thousand euro (€5000) and shall be further punished with the loss of ten (10) points in the National League Competition. Furthermore, any such Club will lose its right to any sponsorship money attached to the Competition from which he is suspended; and

(c) the guilty individuals shall be dealt with by the Board according to these regulations.

C. Crowding of Officials of the Game by Players

- (i) A Club, which is found guilty of having crowded any of the Officials of the Game, shall be penalised with a fine of one hundred and fifty euro (€150).
- (ii) If the Board deems the case to be of a serious nature, it may further punish the guilty Club with the loss of points gained in the match in which the incident occurred. In such a case, the lost points shall not be awarded to the other Club and the result of the match shall stand.

D. Barracking by Players

- (i) Whenever during a competitive match the referee raises both hands straight over his head, it shall be the duty of all the players, except the Captains, to retreat immediately within their own penalty area and they shall not leave the same until so authorised by the Referee.
- (ii) It shall be the duty of the Assistant referees to report to the Referee any player who does not obey the “raised hands signal” and is not found within his penalty area immediately after the signal.
- (iii) A Club, which is found guilty that two or more of its players have been found guilty by the Disciplinary Commissioner of such breach, shall be penalised with a fine of one hundred and fifty euro (€150).

E. Causing the Loss of the Ball of the Match

- (i) A Club, which is found guilty that any of its players or any of its ball-boys or any of its authorised persons stationed near the field of play have caused the loss of the ball/s supplied by the Association or by the other team, except as a result of active play, shall be liable to pay the value of the ball and shall be further dealt with as the Board shall deem fit.
- (ii) When such an offence is committed by one of the authorized persons stationed near the field of play, besides any sanctions that may be imposed on his/her Club, such person shall be fined twenty-five euro (€25).
- (iii) If the ball was lost as a result of active play, in the case that the ball was supplied by the Association, the Association will administratively and without the need of any disciplinary proceedings charge each Club of the participating teams one-half the value of the ball. However, if the ball was supplied by one of the teams, the owner of the ball will suffer the loss.

F. Players who bring the Game into Disrepute

A Club which is found guilty that two or more of its players have, during a match, brought the Game into disrepute, shall be dealt with by the Board according to these Regulations.

G. Use of Physical Violence by Players before and after a Competitive Match

A Club which is found guilty that any of its players, committee members and/or officials and/or supporters before or after a competitive match, in a stadium/football ground or in the precincts thereof, have used physical and/or moral violence or any other act whatever this may be against any Referee or Assistant referees who are there in connection with a game in which they have officiated or are going to officiate, even if they have not officiated or are not going to officiate at a game in

which the guilty person are or were involved, or against any committee member/s, or any other official/s, supporters of the opposing team or of any other team, shall be dealt with by the Board in accordance with these Regulations.

H. Damages caused to the Stadium/Football Ground

- (i) A Club, which is found guilty of having in any way caused damage to any part of the stadium/football ground, shall be liable to make good the damage caused, and shall also be dealt with by the Board in accordance with the rules and regulations of the Association. In the case of matches played in sequence in the same stadium and the Board cannot ascertain who had caused the damage both Clubs whose supporters were staying in that part of the stadium where the damage was caused shall be held liable for the damages caused and for paying the resulting expenses.
- (ii) The persons guilty of such an offence shall be dealt with by the Board in accordance with these Regulations

I. Offences By Clubs

- (a) A Club which is found guilty on the occasion of a match, within the precincts of the stadium of the match, whether in a chorus or not (where applicable);
 - (i) of having publicly disparaged, discriminated against or denigrated someone in a defamatory manner on account of race or language or religion or ethnic origin; or of having perpetrated any other discriminatory and/or contemptuous act, including the display by supporters of banners bearing discriminatory slogans, or had used blasphemous language or
 - (ii) of having used vulgar and/or obscene and/or insulting language and/or other abusive behavior and/or any other wrongful act; or
 - (iii) of having used physical and/or moral violence shall be punished as hereunder mentioned.
 - (iv) of having used physical and/or moral violence, and/or used blasphemous language and/or used vulgar and/or obscene and/or insulting language and/or other abusive behavior and/or any other wrongful act whatsoever against the referee or the other officials of the match or against any of the players taking part in the match (except in the case of players actually taking part in the match whilst engaged in an action during the match) or against any of the authorised persons sitting on the Reserves' Benches or against the ball-boys of the match or against an MFA Official or the other MFA Executive Board Member or against an MFA Board or Committee Member or Match Observer or other MFA personnel, whether on duty or not, or against an active referee of the Association though not involved in the match or against a Committee Member of a Member Club shall be sanctioned as hereunder mentioned.
- (b) The sanctions applicable to the above mentioned offences are the following:
 - (i) In the case that the offence consists in having, whether in a chorus or not, publicly disparaged, discriminated against or denigrated someone in a defamatory manner on account of race or language or religion or ethnic origin or of having perpetrated any other discriminatory and/or contemptuous act, including the display by supporters of banners bearing discriminatory slogans, or in the case that the offence consists in blasphemous language by the supporters in a chorus, the guilty Club shall be fined a maximum amount of seventeen thousand euro (€17,000) for each such offence committed during the season; and
 - (ii) Without prejudice to Article 4(I)(b)(iv) below, if the offence has been committed during a league match, the guilty Club shall have deducted three (3) points for the first such offence during the season, six (6) points for the second such offence during the same season whilst such club shall be relegated for the third such offence during the same season; or

(iii) if the offence has been committed during a match played on a knock-out basis, the Club shall be removed from the competition if the club had through that match proceeded to a further stage of the competition. If through that match the Club had not proceeded to a further stage in the competition it shall not be allowed to participate in the same competition during the following season. If the offence had taken place during the final match of such a competition, the club shall be declared to have lost the match if it had won the competition. If it had lost the match or is declared to have lost the match but it has still qualified for a UEFA Competition through that competition, it shall not be allowed to compete in such UEFA Competition. If the club concerned had neither won the competition nor qualified for a UEFA Competition, it shall be barred from taking part in the same competition in the following season.

Amended:
17-05-22

(iv) In deciding cases relating to offences under this section, the Board shall take into consideration any mitigating factors such as the level of the competition and the division or section in which the offending Club is competing. For the purposes of determining the sanction in relation to Articles 4(l)(b)(i)-(iii), the Board shall have the discretion to adjust such sanction in relation to the mitigating factors proven to it.

Factors that may be deemed to mitigate the Club's responsibility include situations where:

- A. the Club engaged proactively in preventing the commission of the offence in question by dedicating specific efforts and human resources to undertake initiatives prior to the commission of the offence in question;
- B. the Club cooperated in full with the stadium personnel and the Police to prevent the commission of the offence in question;
- C. the Club acted swiftly and cooperated in full with the stadium personnel and the Police in identifying any perpetrators and in stopping them from committing the offence in question.

(c) In the case that the offence consists vulgar, obscene, insulting language or abusive behavior or any other wrongful act whatsoever by the club whether in a chorus or not, the Club shall be fined a minimum amount of one hundred euro (€100) for the first offence during the season and a minimum amount of one hundred and fifty euro (€150) for each and every such subsequent offence committed during the same season. However, if the vulgar, obscene, insulting language or behavior or wrongful act includes the patron saint or saints of local cities, towns or villages, the fines established above shall be doubled accordingly.

Provided that if it is established that the offence has been committed in a chorus, such shall be deemed to be an aggravating circumstance and the fine shall be increased as the Board may deem fit.

(d) In case that during the commission of any of the above-mentioned offences musical instruments were used by supporters the club shall be prohibited from having its supporters use musical instruments during at least the rest of the season. If such prohibition is not adhered to, besides being punished for any other offence committed, the club concerned shall be guilty of an offence and shall be fined a minimum amount of five hundred euro (€500) for each such offence during the prohibition period.

(e) In the case that the offence consists in physical violence or any other moral violence the Club shall be fined a minimum amount of two hundred euro (€200) and the Board whilst deciding on the fine to be imposed, shall take into consideration the gravity of the case;

(f) In the case that the club is found guilty that any of its players, the persons authorized to sit on the Reserves Benches or committee members or supporters of having used physical or moral violence, against the referee or any of the other officials of the match or against any of the players taking part in the match (except in the case of players actually taking part in a match during an action in which they are engaged) or against any of the other players and the other persons authorised to sit on the Reserves' Benches or against the ball-boys or against an MFA Official or another MFA Executive Board Member or an MFA Board or Committee Member or a Match Observer or other MFA personnel or an active referee of the Association, if the offence

produces physical injury to any of such person, besides penalties of a pecuniary nature and such other penalties, including the loss of points won during the match, which may be imposed on the guilty club as provided in the other rules and regulations of the Association, and besides the awarding of damages suffered by the injured person to such an injured person against the guilty club, such club shall be further punished as follows:

- (i) If the offence has been committed during a competition match or in connection with a league match and had produced an injury to any of the above-mentioned persons:
 - (a) if the injury was caused to any of the above-mentioned persons, except the referee and the other officials of the match and was of a slight nature as defined in the Criminal Code (Chapter 9 of the Laws of Malta), the Club shall be fined two thousand and five hundred euro (€2500);
 - (b) if the injury was caused to the referee or to the other officials of the match and was of a slight nature as defined in the Criminal Code (Chapter 9 of the Laws of Malta), the club shall have two (2) points deducted;
 - (c) if the injury was caused to any of the above-mentioned persons and was of a serious nature as defined in the Criminal Code (Chapter 9 of Laws of Malta), the club shall have five (5) points deducted.
- (ii) If the offence has been committed during a match played on a knock-out basis or in connection with such a match, and had produced an injury to any of the above-mentioned persons:
 - (a) if the injury was of a slight nature as defined in the Criminal Code (Chapter 9 of the Laws of Malta), the Club shall be fined two thousand and five hundred euro (€2500);
 - (b) if the injury was one of a serious nature as defined in the Criminal Code (Chapter 9 of the Laws of Malta), the Club shall be removed from the competition if the club had through that match proceeded to a further stage of the competition. If through that match the Club had not proceeded to a further stage in the competition it shall not be allowed to participate in the same competition during the following season. If the offence had taken place during the final match of such competition, the club concerned shall be declared to have lost the match if it had won the competition. If it had lost the match or is declared to have lost the match but it has still qualified for a UEFA Competition through that competition, it shall not be allowed to compete in such UEFA Competition. If the club concerned had neither won the competition nor qualified for a UEFA Competition, it shall be barred from taking part in the same competition in the following season.
- (iii) If the offence had been committed during any competitive match, or in connection with such competitive match, and the injury caused to any of the above-mentioned persons produces death, the guilty club shall be removed from the Association.
- (g) In the case that the club is found guilty that any of its players, the persons authorized to sit on the Reserves Benches or committee members or supporters of having used blasphemous language or used vulgar and/or obscene and/or insulting language and other abusive behavior or any other wrongful act whatsoever against the referee or any of the other officials of the match or against any of the players taking part in the match (except in the case of players actually taking part in a match during an action in which they are engaged) or against any of the other players and the other persons authorised to sit on the Reserves' Benches or against the ball-boys or against an MFA Official or another MFA Executive Board Member or an MFA Board or Committee Member or a Match Observer or other MFA personnel or an active referee of the Association the club shall be fined a minimum of €200.

Provided that if it is established that the offence has been committed in a chorus, such shall be deemed to be an aggravating circumstance and the fine shall be increased as the Board may deem fit.

J. Other Offences by Supporters

(i) Throwing of stones, stadium seats, bottles and similar objects onto the field of play and the use of explosive devices

- (a) A minimum fine of fifty euro (€50) for each counted thrown object shall be imposed on a Club which is found guilty of the throwing of stones, bottles and any other similar objects onto the field of play or anywhere else within the precincts of the stadium;
- (b) When a team is on the field of play and the supporters of the team of the Club concerned fire petards or other explosive devices, which explode within the precincts of the stadium and/or land on the field of play, such Clubs shall be fined a minimum of one hundred euro (€100) for each counted thrown petard or other explosive device.
- (c) Offences which do not strictly fall under sub-paragraphs (a), (b) above but are of a similar nature, shall be punished as the Board shall deem fit.
- (d) If it cannot be ascertained which of the Clubs is guilty of an offence, both Clubs shall be fined the minimum and Clubs shall be responsible to make good any damages in equal portions.
- (e) If the incident/s above mentioned produce any of the injuries or effects as mentioned in Regulation 8 to any of the persons therein mentioned, the penalties therein mentioned shall apply.
- (f) A club which is found guilty of having in any way caused damage to stadium seats in a stadium/football ground, shall be liable to make good the damage caused.

(ii) Damage caused to official flags on display

A Club which is found guilty of having in any way damaged any of the official flags on display in a stadium/football ground, shall be liable to make good the damage caused and shall be further dealt with by the Board in accordance with these regulations as it may deem fit.

(iii) Invasion of the Field of Play

- (a) A minimum fine of one hundred euro (€100) shall be imposed on a Club which is found guilty of the invasion of the field of play by one or more of its supporters whilst the Referee and/or any of the Assistant referees are still on the field of play, or in its precincts, but not in the dressing room.
- (b) If, during such an invasion, the referee or any of the assistant referees or any player of the opposing team is manhandled, a minimum fine of two hundred and fifty euro (€250) shall be imposed on the guilty Club. Furthermore, the team of the offending Club shall be punished with the forfeiture of a maximum of three (3) points, not only in connection with the match in question, but also points which the team has already gained or may gain in the competition.
- (c) Offences, which do not strictly fall under sub-paragraphs (a) and (b) above, but nevertheless qualify as an invasion of the field of play, shall be dealt with by the Board as it may deem fit.

(iv) Invasion of the reserved areas of the stadium/football ground

A maximum fine of one thousand euro (€1000) shall be imposed on a Club which is found guilty that any of its supporters have entered the reserved areas of the stadium/football ground, and/or the Referee's dressing room without the requisite authority.

(v) Disruption of presentation ceremonies

A maximum fine of two thousand euro (€2000) shall be imposed on a Club which is found guilty that any of its supporters and/or committee members and/or official's and/or players have disrupted an official presentation ceremony.

(vi) Active participation in incidents, and/or aiding, and/or abetting incidents caused by supporters

- (a) If any of the committee members or other officials of a Club are found guilty of having participated in, or of having instigated, or of having incited their supporters to perpetrate any of the offences under paragraph (i), (iv), (v) and (vi) above, the offending Club shall be further punished with the loss of a minimum of three (3) points and a maximum of six (6) points in the competition in which the incident/s occurred if the competition is run on a league basis.
- (b) If the competition is run on a knock-out basis, the Club shall be disqualified from the competition. If the incident/s occurred during the final match, or replay of the final match, in case such Club has won the match, it shall be declared to have lost the match.
- (c) The persons found guilty of such offences shall be dealt with by the Board in accordance with these Regulations.

K. Mascots

In the event that the Association allows a Club to be assisted by a Mascot, such Mascot shall ipso jure be subject to these regulations, and shall be deemed to be a "Club Official" when determining any offences which may be committed by the said Mascot.

L. Offences

Any club which is found guilty of having acted contrary to the spirit of sportsmanship and good conduct and which acts have not been specifically provided for by these Regulations shall be liable to a punishment which the Board, according to the circumstances of the case, shall deem fit to impose.

MALTA FOOTBALL ASSOCIATION

THE PLAYERS' AND CLUB OFFICIALS' DISCIPLINARY CODE

1. Disciplinary Commissioner

The Executive Board shall appoint a Disciplinary Commissioner and shall, in its discretion, give him the necessary and appropriate powers, rights and functions in accordance with the Statute of the Association, with the provisions of this Code and with the decisions and directives which the Executive Board may make or give from time to time.

2. Deputy Commissioner/s

The Executive Board shall appoint also a person or other persons to act as substitute for the Commissioner when the latter is for any reason unable to execute his functions. All that which applies to the Commissioner shall apply to a Deputy Commissioner.

3. Jurisdiction

The Commissioner shall have jurisdiction to take cognizance of and decide all cases related to players' and Club officials' or any other person who features on the official match report of the relative match as follows:

- (a) all cases of incidents reported by the Referee or Match Official to have been committed by players who may take part in a match and by Club officials authorised to sit on the substitutes' bench or authorised to perform a function in the dressing-rooms area/s or on or near the field of play in connection with such match in a competition directly run by the Association or run by a Member Association or run by an Affiliated Association and for which a Referee and/or Assistant referees of the Association has or have been appointed to officiate, provided such incidents take place on the field of play or within its vicinity (including the dressing-room areas) and which take place either prior, or during or after such match, even if such match, for any reason whatsoever, is subsequently declared null and void or has been discontinued or abandoned or did not take place at all; and
- (b) all cases of incidents reported by the Referee or Match Official to have been committed by players and by Club officials who perform any function whatsoever in connection with a match, including matches in a friendly tournament, except when in a friendly tournament a disciplinary body is set-up to take cognizance of such incidents, but excluding players and officials of the Association in connection with a friendly match of a representative team of the Association, for which a Referee of the Association has been appointed to officiate, and which take place on the field of play or within its vicinity, including the dressing-rooms area/s, either before, or during or after such match, even if such match, for any reason whatsoever, is subsequently declared null and void or has been discontinued or abandoned or did not take place at all, unless the Association, in the case of a friendly tournament, has authorised that cases of discipline are taken cognizance of otherwise; and
- (c) any other incident which the Executive Board of the Association may bring to the cognizance of the Commissioner in connection with any match as described in para. (a) and (b) above. The General Secretary of the Association may also bring to the cognizance of the Commissioner any incident which is deemed necessary. The General Secretary shall report this to the Executive Board during its first following meeting.

4. Normal and Special Sittings

The Commissioner shall normally hold his sitting every Wednesday and Friday by not later than two o'clock in the afternoon except on public holidays. In this latter case, the sitting shall be held either on Thursday or the following Monday by not later than two o'clock. If such Thursday or Monday happens to be a public holiday the sitting shall be held in the morning. In the improbable event that due to a case of force majeure the sitting cannot be held on the proper date it shall be held as soon as possible afterwards.

- (ii) The Commissioner shall hold a Special Sitting to deal with incidents reported by the Referee:
 - (a) when a match has to be repeated or replayed before the day when the Commissioner holds his normal sitting in accordance with para. (i) above or;
 - (b) in the case when the Club of the players or officials reported by the referee in a competitive match is involved in another competitive match before the day when the Commissioner hold his normal sitting in accordance with para. (i) above.

5. Proceedings

- (i) The Commissioner shall proceed with a case:
 - (a) if the General Secretary of the Association, by not later than the time appointed by the Commissioner for the sitting, shall have received a Referee's report of matches played previously; and
 - (b) in the case of a special sitting, the General Secretary of the Association, by not later than the time appointed for the sitting, shall have received the Referee's report of the match or matches in connection with which the special sitting is held. However, in case that the General Secretary of the Association has not received the Referee's report by the time fixed for the special sitting, the case shall be dealt with during the next normal sitting of the Commissioner; and
 - (c) when a case has been referred to him by the Appeals Board in terms of Art. 22 (ix) (b) to judge again a case in terms of Art. 22 (ix) (c); and
 - (d) when a report has been forwarded to him by the Executive Board or the General Secretary of the Association and the Commissioner is satisfied that the Club of the player/s and/or official/s reported, or in the case of a Club of a Member Association the Member Association concerned, has been informed of the details of the report and of the date and time of the sitting not less than one day before the day of the sitting.
- (ii) The Commissioner shall be assisted by the Secretary to the Commissioner or another person nominated to act as a Secretary to keep the minutes of the proceedings and to render all the necessary assistance to the Commissioner.
- (iii) (a) In the case of proceedings arising solely from the Referee's report, the Commissioner shall base his decision on the contents of the Referee's report and, if available, on the report of the Match Inspector and any video evidence.
 - (b) In the case of proceedings arising from a report by the Executive Board or by the General Secretary of the Association, the Commissioner shall base his decision on that evidence, including video evidence, which the Executive Board or the General Secretary of the Association would have indicated to the Commissioner.
- (iv) It is at the discretion of the Commissioner as to the manner in which he formulates his decision so long as the penalty inflicted is clear and the section/s of this Code on which the penalty is based is clearly indicated.
- (v) Penalties shall only become effective after these are sanctioned by the Commissioner.

*Amended:
27-06-19*

6. Publication of Decisions

- (i) (a) The decisions of the Commissioner shall be appended to the Notice Board of the Association at the official residence of the Association as soon as practically possible after the end of the sitting.
 - (b) The decisions of the Commissioner become public as soon as they have been appended to the Notice Board of the Association at the official residence of the Association and/or as soon as they are circulated with clubs or otherwise rendered accessible to them electronically.
 - (c) In the case of small and obvious clerical mistakes in the publication of the decision, the Commissioner shall have the power and discretion to correct such mistakes.

- (ii) Players, Club officials, Member Clubs, Member Associations and Affiliated Associations and their Clubs are in duty bound to inform themselves of the decisions of the Commissioner.
- (iii) In the case of a motivated decision, the concerned players, Club officials, Member Clubs, Member Associations and Affiliated Associations and their Clubs, shall be entitled to get from the General Secretary of the Association an authenticated copy of the decision against the payment of a fee. The fee shall be established by the Executive Board.

7. Punishments

- (i) (a) The punishments which the Commissioner may impose are the following:
 - A fine;
 - Suspension for a specified number of matches and/or a specified period including life-long suspension.
- (b) Punishments are to be considered in an ascent from the lowest degree (a fine) to the highest (suspension).
- (c) These sanctions may be combined.
- (d) A period suspension of six months (6) or more shall be deemed to be a suspension from all official football activities of the Association, of Member Associations and of Affiliated Associations including an official match whether competitive or friendly.
- (e) A period suspension of less than six months (6) shall be deemed to be a suspension from taking part as a player or as an official in any competitive local match played under the jurisdiction of the Association. Provided that if such a period suspension is inflicted upon a person for an offence committed whilst he was acting as a player, such suspension shall apply to him in his capacity as a player, whilst if a period suspension is inflicted upon him for an offence committed whilst acting as an official, such suspension shall apply to him in his capacity as an official.
- (f) In the case that the Commissioner decides to impose a period suspension of nine (9) months or less for an offence which had been committed by a player or by a club official, if such suspension would extend beyond the beginning of the coming month of June, he shall increase such suspension by another two (2) months. In such a case, in his decision, the Commissioner shall clearly specify that he had applied the provisions of this sub-clause and shall also indicate the exact date when the whole suspension will expire.
- (ii) Punishments awarded shall not apply to international matches whether competitive or friendly. However, in the case of an offence of a serious nature, the Executive Board shall in its discretion have the right to communicate a decision of the Commissioner to FIFA.
- (iii) Saving the provisions of article 13, in the case of a player who has not attained the age of eighteen (18) years, although found guilty, a conditional suspended sentence, or a caution which shall be recorded, or a suspended sentence for a fixed period, or an absolute discharge may be awarded by the Commissioner in his discretion.
- (iv) In the case of Team Captains, the Commissioner may, in his discretion, suspend the player from the Team's Captaincy either for a fixed period of time or for life, as the case may be.
- (v) Without prejudice to Article 5(v), a player or a Club official who has been sent off during a competitive match shall incur as a minimum penalty a suspension of one (1) match. The Commissioner however, in inflicting the penalty, shall take this one match suspension into consideration.

Amended:
27-06-19

8. Offences and related punishments in the case of competitive matches

A. Offences against Match Officials

- (1) Any player or Club official who is found guilty of having used violence against any of the Match Officials, that is to say, he had:
- (a) Used any object or any part of his body to strike an official, the penalty awarded shall be given according to the gravity of the assault as follows:
 - (i) If the assault is considered as a minor one where no bodily harm is caused to the official, a player shall be suspended for not less than six (6) months and not more than twelve (12) months while a club official shall be suspended for not less than one (1) year and not more than two (2) years depending on the circumstances of the case.
 - (ii) If the assault has caused bodily harm which is not of a grievous nature a player shall be suspended for three (3) years while a club official shall be suspended for five years.
 - (iii) If the assault has caused grievous bodily harm as defined in the Criminal Code (Chapter 9 of the Laws of Malta) both a player and a club official shall be suspended for life.

For the purposes of this sub-article 8A(1)(a), in determining the relative sanction, the Commissioner may take into consideration a medical certificate provided by the injured party.
 - (b) Physically obstructed the movement of an official within the precincts of the stadium/ground before, during, or after a match, a player shall be suspended for three (3) matches while a club official shall be suspended for three (3) months.
 - (c) Spat at an official with the obvious intent of hitting the Official, but even if not hitting him, a player shall be suspended for six (6) months while a club official shall be suspended for one (1) year.
 - (d) Spat in the direction of an Official but where it is manifestly evident that hitting the official was not possible a player shall be suspended for three (3) matches while a club official shall be suspended for three (3) months;
 - (e) Attempted to act in an aggressive manner as described in paras. 1 (a) and/or 1 (b) above a player shall be suspended for three (3) matches while a club official shall be suspended for three (3) months.
 - (f) Acted in an aggressive manner but had not committed or attempted to commit any of the acts described in paras. 1 (a) or 1 (b) above a player shall be suspended for four (4) matches while a club official shall be suspended for four (4) months.
 - (g) acted in such a way as to try to deceive the referee or circumvent the laws of the game, including simulation, shall be penalized by a fine of fifteen euro (€15).
- (2) (i) Any player who is found guilty of:
- (a) indecent conduct towards a Match Official by words or deed, shall be suspended for three (3) matches;
 - (b) indecent assault, which is not considered as very serious, on a Match Official, shall be suspended for a period of up to one (1) year;
 - (c) indecent assault, which is considered as very serious, on a Match Official, shall be suspended for a minimum of five (5) years.
- (ii) In case that the offences mentioned in sub-clause (i) above are committed by a Club Official, the period of suspension shall be twice the period of suspension therein mentioned.
- (3) (a) When in the opinion of the Commissioner more evidence other than the Referee's and/or Match Inspector's report is needed in cases of a serious nature, he shall suspend the player or Club Official indefinitely without deciding the case and shall refer the case to the General Secretary of the Association to provide him with any further evidence, including video evidence, which may be available within such period as the Commissioner may

*Introduced:
27-06-19*

decide. Such period shall be no more than eight (8) working days.

- (b) When the period fixed by the Commissioner expires, the Commissioner shall decide the case by also taking into consideration any such other evidence which may have been provided to him.
 - (c) If the Commissioner decides to penalise the player or Club Official concerned, the period of indefinite suspension shall be taken into consideration.
- (4) Any player who is found guilty of having committed any of the following offences, that is to say, he had:
- (a) threatened and/or insulted an Official by words or deeds, shall be suspended for three (3) matches on the first instance and for six (6) matches for every similar subsequent offence during the same season;
 - (b) passed remarks or made denigratory or provocative gestures towards an Official, except when such remarks or gestures allude to bribery, shall be suspended for two (2) matches on the first instance and for four (4) matches for every similar subsequent offence during the same season;
 - (c) passed remarks or made denigratory gestures which allude to bribery towards an Official, shall be suspended for five (5) matches in the first instance and for six months for every similar subsequent offence during the same season;
 - (d) continued to argue with the official after having been ordered to desist he shall be fined fifteen euro (€15);
 - (e) disobeyed or opposed an Official's decision, he shall be fined twenty euro (€20);
 - (f) not obeyed the Official's signal, except in the case of the Captain, to retreat to his own penalty area immediately, he shall be penalised with the suspension of one (1) match besides any other penalty which may be imposed for having committed any other offence;
 - (g) entered or left the field of play during a match without the Referee's permission, shall be fined ten euro (€10);
 - (h) not departed himself well in relation to, or used ungentlemanly conduct towards an Official, shall be penalised with a suspension of one (1) match on the first instance and with for two (2) matches for every similar subsequent offence during the same season;
 - (i) disparaged, discriminated against or denigrated an Official in a defamatory manner on account of race, colour, religion, ethnicity or sexual orientation or perpetrates any other discriminatory and/or contemptuous act shall be suspended for five (5) matches in the first instance and for six (6) months for any other subsequent offence during the same season.
- (5) (a) Any Club official who is found guilty of having committed any of the offences mentioned under clause (4) above shall be penalised as follows in the case of the first offence during the season:
- (i) in the case that the penalty applicable to a player is a suspension, either to twice the number of matches or to twice the period of suspension, as the case may be; and
 - (ii) in the case that the penalty applicable is a fine, to twice the amount of the fine.
- (b) A Club official who during the same season is found guilty for the second time or on any subsequent occasion of having committed again the same offence, the penalty applicable shall be twice the punishment awarded in the case of the first same offence.
 - (c) In the case of the second offence or on any subsequent offence committed against a Match Official by the same offender, except in the case of the Team's Coach, the Commissioner, besides penalizing the offender, may make a recommendation to the Executive Board to

prohibit such Club Official from sitting on the Reserves' Benches even after the inflicted suspension would expire.

- (6) The provisions of this section shall apply from the moment anyone of the Match Officials shall arrive at the locality where the match is to be played and shall continue to apply until the departure of such Official from the same locality.
- (7) The Board of Appeal of the Association, may, in its sole discretion, and considering the merits of each individual case, decide to reduce the penalty inflicted for any offence under the foregoing article 8(A) as it may deem fit.

B. Offences against a player

- (1) Any player who is found guilty of having used violence against another player, including a player of his team, that is to say, he had:
 - (a) Whilst not playing or exchanging the ball, in a violent manner used any object or any part of his body to strike, kick, headbutt, punch or hit another player the penalty shall be given according to the gravity of the assault as follows:-
 - (i) for a minor assault causing no bodily harm he shall be suspended for three (3) matches.
 - (ii) for an assault causing bodily harm which is not of a grievous nature he shall be suspended for six (6) matches.
 - (iii) for an assault causing grievous bodily harm as defined in the Criminal Code (Chapter 9 of the Laws of Malta) he shall be suspended for a period ranging between five (5) years and life, depending on the gravity of the case.
 - (b) Whilst playing or exchanging the ball, in a violent manner, used any part of his body to strike, kick, headbutt, punch or hit another player the penalty shall be given according to the consequences suffered by the other player as follows:
 - (i) if, as a result of such an act, the other player had suffered no consequence, he shall be suspended two (2) matches in the case of the first offence and for three (3) matches for any similar offence during the same season;
 - (ii) if, as a result of such an act, the other player had suffered a bodily harm which is not grievous in nature, he shall be suspended for six (6) matches;
 - (iii) if, as a result of such an act, the other player had suffered a grievous bodily harm as defined in the Criminal Code (Chapter 9 of the Laws of Malta), he shall be suspended for a minimum of 2 months and a maximum of 4 months, depending on the gravity of the injury suffered.
 - (c) Attempted to commit a violent act not while playing or exchanging the ball he shall be suspended for 1 match in the case of the first offence and for two (2) matches for any similar offence during the same season.
 - (d) Committed a violent act other as mentioned in sub-clause (a) above not while playing the ball or exchanging the ball, he shall be suspended for three (3) matches in the case of the first offence and for six (6) matches for any similar offence during the same season;
 - (e) adopted a fighting attitude, the penalty shall be a fine of twenty (€20) on the first instance and forty euro (€40) for every similar offence during the same season.
- (2) Any Club official who is found guilty of having committed any of the offences under para. 1(a) (i), 1(a)(ii), 1(c) or 1(d) against a player, shall be suspended from one year to five years. If a Club Official is found guilty of the offence under para. 1(a) (iii) the punishment applicable shall be a suspension ranging between five (5) years and life, depending on the gravity of the case. If found guilty of having committed an offence under Article 1(e) a club official shall be suspended

for 2 matches.

- (3) When any offence under para. 1 (a) (i) or 1 (a) (ii) or para. (i) (a) (iii) above has been committed by a player or by a Club official against a player and in the opinion of the Commissioner more evidence than the Referee's report and/or the Match Inspector's report is needed, the Commissioner shall suspend the player or Club official concerned indefinitely without deciding the case and refer the case to the General Secretary of the Association to provide him with such further evidence, including video evidence, as may be available. The Commissioner shall nevertheless proceed to decide the case within eight (8) working days of his request to the General Secretary even if no further evidence has been provided to him.
- (4) Any player who is found guilty of having committed any of the following offences, that is to say, he had:
 - (a) spat at another player or a club official with the obvious intent of hitting him but even if he does not hit him shall be penalised with a suspension of three (3) matches in the case of the first offence and with a suspension of four (4) matches for every subsequent similar offence committed during the same season. However, if this action is done from a considerable distance making it impossible to hit anybody the player shall be suspended for one (1) match in the first instance and for two (2) matches for any similar offence during the same season;
 - (b) disparaged, discriminated against or denigrated someone in a defamatory manner on account of race, colour, religion, ethnicity or sexual orientation or perpetrates any other discriminatory and/or contemptuous act, shall be suspended for five (5) matches in the first instance and for six (6) months for any other subsequent offence during the same season;
 - (c) defamed or gravely insulted another player, shall be penalised with a suspension of one (1) match in the case of the first offence and with a suspension of two (2) matches for every subsequent similar offence committed during the same season;
 - (d) used vulgar or obscene language/gestures towards a player but without defaming such player, shall be penalised with a fine of twenty euro (€20);
 - (e) committed serious foul play, the penalty applicable shall be a a fine of fifteen euro (€15) in the case of the first offence and a fine of twenty five euro (€25) for every similar offence during the same season;
 - (f) played in a reckless manner, the penalty applicable shall be a fine of ten euro (€10) in the case of the first offence and a fine of fifteen (€15) for every similar offence during the same season;
 - (g) made offensive denigratory or provocative gesture or gestures towards another player, besides a gesture or gestures of a racist nature, shall be penalised with a suspension of one (1) match in the case of the first offence and two (2) matches for every similar offence during the same season. However, if such a gesture or gestures, is or are also, in the opinion of the Commissioner (who may at his discretion use also video evidence to arrive at his decision), obscene, the offending player shall be penalised with a suspension of four (4) matches in the case of the first offence and six (6) matches for every similar offence during the same season;
 - (h) in any other manner not deported himself well in relation to, or used ungentlemanly conduct towards another player, the penalty applicable shall be a fine of ten euro (€10).
 - (i) (i) denied a goal scoring opportunity, either by attempting to aplay the ball inside the penalty area or by challenging an opponent for the ball inside the penalty area, shall be penalized by a fine of fifteen euro (€15;)
 - (ii) stopped a promising attack a player shall be penalized by a fine of twenty euro (€20);
 - (iii) denied an obvious goal scoring opportunity a player shall be penalized by a suspension of one (1) match and a fine of fifteen euro (€15).

- (5) Any Club official who is found guilty of having committed any of the offences;
- (a) under sub-clause (4)(a), shall be penalised with a suspension of six (6) months in the case of the first offence and with a suspension of one (1) year for every subsequent similar offence committed during the same season.
 - (b) under sub-clause 4(b) above, shall be penalised with a suspension of six (6) months in the case of the first offence and with a suspension of one (1) year for every subsequent similar offence committed during the same season. Such official shall be also fined the amount of up to seventeen thousand euro (€17,000) for each and every such offence.
 - (c) under sub-clauses (4)(c), shall be penalised with a suspension of two (2) matches in the case of the first offence and with a suspension of four (4) matches for every subsequent similar offence committed during the same season.
 - (d) under sub-clause (4)(d) or (4)(h), shall be penalized with a fine of forty euro (€40) in the first instance and with a suspension of three (3) matches for every similar offence during the same season.
 - (e) under sub-clause (4)(g), shall be penalized with a suspension of two (2) matches in the first instance and with a suspension of four (4) matches for every similar offence during the same season. However, if the gesture or gestures are considered to be obscene he shall be suspended for six (6) matches in every case.
- (6) When any of the offences mentioned under sub-clauses 1 (a) (i) and (ii), (b) or (c) and sub-clauses 4 (c), (g) or (h) had been committed by a player or by a Club Official under provocation the penalty shall be reduced. Where a lower and a higher penalty are envisaged the lower penalty, or a three (3) month suspension, whichever is the lowest, shall apply. In other cases, either a three (3) month suspension, or the prescribed penalty reduced by half, whichever is the lowest, shall apply.

Provided that the Board of Appeal of the Association, may, in its sole discretion, and considering the merits of each individual case, also decide to further reduce the penalty, as it may deem fit.

C. General Offences

- (1) Any player who is found guilty of:
- (a) having exposed any private part of his body, and such action is deemed not to have been intended as an insult to anybody, he shall be suspended for three (3) matches. However, if such action is deemed to have been intended as an insult towards someone in particular, he shall be suspended for seven (7) matches in the case of the first offence and with a suspension of three (3) months for every subsequent similar offence committed during the same season;
 - (b) having uttered words of a racist nature or made gestures of a racist nature which were not directed against anybody in particular, shall be suspended for three (3) matches in the case of the first offence and with a suspension of six (6) matches for every subsequent similar offence committed during the same season;
 - (c) having used blasphemous language, shall be penalised with a fine of fifteen euro (€15) in the case of the first offence and thirty euro (€30) for every similar offence during the same season;
 - (d) having used vulgar and/or obscene language, shall be penalised with a fine of fifteen euro (€15) for every offence in the same season;
 - (e) time-wasting during a match, shall be penalised with a fine of fifteen euro (€15) for every offence during the same season;
 - (f) actions which because of their repetition were deemed by the Referee to be a cause of

irritation to himself or to a player, shall be fined fifteen euro (€15) for every offence during the same season;

- (g) having intentionally handled the ball, shall be penalised with a fine of ten euro (€10);
- (h) having removed his shirt, shall be fined twenty-five euro (€25);
- (i) having revealed an undershirt which contains slogans or advertising, including religious or political slogans, shall be fined twenty-five euro (€25) in the case of the first offence and fifty euro (€50) for every similar offence during the same season;
- (j) having failed, after having been sent off the field of play or outside the precincts of the field of play by the referee for having committed an offence, to go without undue delay outside the precincts of the field of play, shall be suspended for one (1) match for this other offence;
- (k) having celebrated, following a goal or at the end of the match, by making gestures, passing remarks or showing signs or symbols, with the clear intent of provoking and/or insulting the opposing team's players, officials or supporters, shall be fined fifty euro (€50) in the case of a first offence, and hundred euro (€100) for every similar offence during the same season;
- (l) having removed the corner flag and angrily throwing it or any other object in the direction of the opposing supporters a player shall be penalized by a suspension of two (2) matches;
- (m) having committed any other offence which is not contemplated in this Code but is calculated to bring the game into disrepute, shall be penalised with a fine of twenty five euro (€25) as a minimum and/or with suspension for not more than five (5) matches as a maximum depending on the gravity of the case.

*Amended:
08-08-17*

*Amended:
27-06-19*

- (ii) Any Club official who is found guilty of having committed any of the offences under sub-clauses (i) (a) or (i) (b) shall be suspended for three (3) months in the case of the first offence and with a suspension of six (6) months for every subsequent similar offence committed during the same season.
- (iii) Any Club Official who is found guilty of having committed the offence under sub-clause (1)(k) shall be suspended for a minimum of three (3) matches and a maximum of three (3) months depending on the gravity of the case.
- (iv) Any Club official who is found guilty of having committed any of the offences under sub-clause (1) above, except in the case of offences under sub-clauses (1)(a), (1)(b) and (1)(k), shall be penalised with a fine of between twenty-five euro (€25) and fifty euro (€50) and/or with a suspension of between one (1) month and six (6) months depending on the gravity of the case.

*Amended:
27-06-19*

D. Offences against Committee Members, other Officials, Reserve Players and other Persons, including Spectators

A player or a Club official who is found guilty of having committed an offence mentioned in this section against committee members, other officials, reserve players or any other person, including a spectators, shall be penalised in accordance with the applicable provisions of this section as if such offence was committed against a player.

9. Offences and related punishments in the case of friendly matches

- (i) In the case of offences which take place in connection with friendly matches, the Commissioner may apply the same punishments and provisions mentioned in these regulations. However, in the case of a friendly tournament, a player who had been sent off by the referee, except in the case of a player who had been sent off in the last match of the tournament, must be suspended for at least one (1) match of the tournament.
- (ii) In the case of a friendly match or in the case of the last match of a friendly tournament, a player who had been sent off by the referee, shall not be suspended if such a sending off had only occurred either

due to the fact that such a player was shown the second Yellow Card or due to the fact that such a player had simply committed a professional foul but without violent conduct.

- (iii) In the case that a player is sent off in a friendly match or tournament and is suspended due to violent conduct according to Regulation 9(ii), then such player shall serve the suspension inflicted in the next national competitive match(es) in which such player is eligible to play.
- (iv) In the case of offences committed by a Club Official during friendly matches or friendly tournaments, which offences are punishable under these regulations, then such Club Officials shall be punished according to these regulations, and such suspension shall be served in the next national competitive matches(es) of the club.

10. Incitement and other forms of complicity

- (i) Whosoever is found guilty of inciting another person to commit anyone of the offences mentioned in this Code shall be regarded as an accomplice to any of the offences committed.
- (ii) The rules relating to complicity under the Criminal Code (Chapter 9 of the Laws of Malta), shall apply to this Code.
- (iii) (a) The penalties contemplated in this Code as to be inflicted upon the author of an offence shall apply to an accomplice.

(b) In the case of incitement, if no offence was committed, a person who is found guilty of incitement shall be penalised with a fine up to a maximum of twenty-five euro (€25) or with suspension of not more than one (1) month or with both a fine and a suspension according to the gravity of the case.

*Amended:
28-09-17*

11. Self-Defence and Excess in Self-Defence

- (i) No offence is committed if one commits an act in the defence of himself or of another.
- (ii) Whosoever exceeds in self-defence or retaliates in a way that he commits an offence mentioned in this Code shall be considered as having acted under provocation in terms of article 8 (B) (6) above.

12. Cases of Repetition

- (i) (a) In the case of offences by players or club officials, if during the same season a player or a club official has been shown the “yellow card” in a competitive match for the fourth time in the same competition and all the four (4) cautions have been confirmed by the Commissioner, upon the confirmation of the fourth caution, the Commissioner, besides applying the penalties prescribed for the offences committed and which are decided upon by the Commissioner on that occasion, shall suspend the player or the club official for one (1) match in that same competition and for the fact alone of the fourth caution having been confirmed.

Provided that the number of “yellow cards” received by a player during the Preliminary Round of the Under-17 and Under-15 league competitions, organised by the Youth Football Association, shall expire at the end of the Preliminary Round. They are not carried forward to the actual league stage. However, suspensions sanctioned by the Commissioner during or at the end of the Preliminary Round, even for a fourth “yellow card”, which suspension is to be carried forward to the league stage, shall be served during the league stage.

- (b) The suspension mentioned in para. (i) (a) above, shall be applied each time a player or an official totals four (4) confirmed cautions during the same season in the same competition. However, a suspension as a result of a caution or a sending-off shall not be counted. Furthermore, in the case of a match which is declared null and void by the competent authorities of the Association, a single “yellow card” during such match shall not count as one of the four (4) “yellow cards” provided that such single “yellow card” had not already been taken into consideration by the Commissioner to suspend the player or the official for one (1) match.

*Amended:
27-06-19*

13. Cases of Serious Nature

- (i) In cases of a serious nature, if the penalties applicable are fixed, the Commissioner shall be entitled to increase the penalty at his own discretion and in doing so the Commissioner shall take into consideration the conduct of a player or an official in the previous five (5) seasons although the player or the official concerned is not deemed to be a relapser.
- (ii) In increasing the penalty according to Regulation 13(i) the Commissioner shall hand out a suspension which does not exceed one (1) year.

14. Youth Players

- (i) (a) Without prejudice to the provisions of para. (iii) of article 7, a player who has not attained the age of eighteen (18) years and who is found guilty of an offence which is not deemed to be of a serious nature, may be discharged on condition that he shall not commit another offence within a period to be established by the Commissioner.
- (b) If such player commits another offence within the conditional period he shall be deemed to be a relapser and the penalty applicable to him shall be awarded in its maximum.
- (c) If such a player commits another offence after the conditional period has expired, such player shall not be deemed to be a relapser but shall only be penalised for the new offence.
- (ii) A conditional discharge may be given only once to the same player during the same season.

15. Amateur Players of Member Associations and Affiliated Associations

- (i) Prior to the start of its competitions, an Amateur Member Association or an Affiliated Association may request that for such competitions when the penalty which the Commissioner must or may impose in accordance with the provisions of this Code consists of a fine, the Commissioner shall, instead of imposing the relative fine, suspend the player for one (1) match if the fine to be imposed is fifteen euro (€15) or less and two (2) matches if the fine to be imposed is more than fifteen euro (€15).
- (ii) In competitions organized by Amateur Member Associations, when the penalty which the Commissioner must or may impose in accordance with the provisions of this Code consists of a suspension of three (3) matches or more, the Commissioner shall suspend the player or official concerned for a period of at least two (2) months, depending on the seriousness of the offence. The foregoing shall not be applicable to Futsal and Beach Soccer competitions.

*Amended:
26-01-17;
27-06-19;*

*Introduced:
04-09-23*

16. Players of Non-Amateur Member Associations and Affiliated Associations

- (i) A non-amateur Member Association and a non-amateur Affiliated Association may opt to have the discipline of players taking part in its competitions to be done in the same way as done for players taking part in the competitions of an amateur Member Association and Affiliated Association as provided for in article 15.
- (ii) This option may be exercised by a non-amateur Member Association and Affiliated Association in every new season prior to the start of its competitions by informing in writing the General Secretary of the Association that it wants to make use of this option.

17. First Offence

- (i) When a player, whatever his age, is found guilty of a first offence and such offence is not deemed to be of a serious nature, the Commissioner may, after declaring such player guilty, discharge him unconditionally on the grounds that the offence is the player's first ever offence.
- (ii) Such player shall not be regarded as a recidivist if he commits again the same offence or any other offence during the same season.

18. Execution of Decisions

- (i) (a) Decisions of the Commissioner relating to suspensions shall take immediate effect unless the Commissioner, for special reasons to be stated in the decision, specifies a date when the suspension shall become operative.

- (b) In the case of period suspensions, the months and the years shall be reckoned according to the calendar.
 - (c) The right to lodge an appeal or the actual filing of the petition of appeal against a decision of the Commissioner, shall not operate as a bar to the operation of the suspension inflicted.
- (ii) (a) Fines shall be paid within the period of fifteen (15) days from the date of the decision.
 - (b) When a fine has not been paid within the time limit mentioned in para.(a) above, such fine shall be paid by the Member Club for whom the player had played when the offence for which he was fined was committed. Such payment shall be made in accordance with Rule 139 of the Statute of the Association. This rule shall apply also to Clubs/Teams of Member Associations and Affiliated Associations when fines are inflicted in connection with matches organised by Member Associations. In the latter case, the Member Association and Affiliated Association concerned shall be responsible for the payment of the fine.
 - (c) Three-fourths (3/4) of the amount of fines inflicted in connection with matches organised by Member Associations and Affiliated Associations and duly paid shall be remitted by the Association to the Member Association and Affiliated Association concerned.

19. Normal Serving of Suspensions

- (i) Except in the cases mentioned in article 20, match suspensions shall be served in the same competition.
- (ii) Period suspensions of one (1) month or more shall apply to all the competitions under the jurisdiction of the Association.
- (iii) The suspension of a player for a match shall be deemed to have been served in a scheduled match which is either abandoned or discontinued or which does not take place because one or both teams do not turn up on the field of play for such match or because such match is declared null and void by the competent authorities of the Association. However, any suspension deemed to have been served shall come again into force for the same match if it is decided by the competent authorities of the Association that the match in which such suspension was deemed to have been served should be played or replayed as the case may be.
- (iv) In the case that the Commissioner has inflicted on the same player penalties which consist both in a period suspension and in a number of matches, such penalties shall be served in the first place by the serving of the period suspension and in the second place by the serving of the match suspension or suspensions after the period suspension has been served.

20. Special Serving of Suspensions

- (i) In case that a suspension of a match or a number of matches cannot be served in the same competition of the Association or of a Member Association or of an Affiliated Association, as the case may be, during the same season, the suspension shall be served in the first competition of the Association or Member Association or Affiliated Association, as the case may be, for which the player is eligible to play during the same season of the Association or of the Member Association or of the Affiliated Association, in which he has been suspended.

However, in the case of an Under-17 player who is suspended for one match or for a number of matches in connection with the last match for which he was eligible to play in an Under-17 Competition of the Youth F.A., such player shall be deemed to be suspended for the first match or matches for which he is eligible to play in any of the competitions directly organised by the M.F.A.

- (ii) If such suspension cannot be served in any competition of the Association or of the Member Association or of the Affiliated Association concerned, as the case may be, during the same season, then the suspension shall be served in the first competition of the same Association or of the Member Association or of the Affiliated Association concerned, as the case may be, for which the player will be eligible to play during the next season.

- (iii) (a) If a player who has been suspended for one (1) match or for a number of matches plays in a competitive match whilst he is suspended, such player shall be further suspended for another two (2) matches for every such offence.
- (b) If a player who has been suspended for a period plays in a competitive match during the period of his suspension, such player shall be further suspended for two (2) matches if he takes part in a competitive match during the period of his suspension and subsequently he shall be suspended for four (4) matches for each and every time he takes part in a competitive match during the same period of his suspension. Such matches shall be served after the expiry of the period for which he was originally suspended.
- (c) The Commissioner shall not take into account any claim that the player and/or his Club were unaware of the original suspension or of the regulations.
- (d) Any such further suspension shall be inflicted and shall be without any prejudice to any forfeiture of points and/or other penalties which his Club may incur or may have incurred for having made use of such a suspended player in a competitive match.
- (iv) (a) A suspension for one (1) match or for a number of matches in connection with an offence or offences committed in a friendly match, shall be served in the first competitive match or matches of the Association, as the case may be, and for which a player is eligible to play after the decision of the Commissioner.
- (b) A suspension for a match or for a number of matches in connection with an offence/s committed in a match of a friendly tournament shall be served in the same tournament. If the suspension cannot be served in the same tournament either because the tournament has for any reason ended or been suspended, the suspension shall be served in the first and subsequent competitive matches of the Association which is/are held after the end or suspension of such tournament. However, in the latter case, if the suspension had not been inflicted by the M.F.A. Disciplinary Commissioner before it is effective it has to be confirmed by the M.F.A. Disciplinary Commissioner.
- (c) A period suspension which extends beyond the end or suspension of a friendly tournament or a lifelong suspension inflicted in connection with an offence/s committed in a match of a friendly tournament, will be applicable to the competitions of the Association if such suspension is imposed or confirmed by the M.F.A. Disciplinary Commissioner.

21. Breaching of a Suspension Order

- (i) Players or other individuals who are serving a period suspension or who have been suspended for one (1) match or for a number of matches, on the occasion of competitive matches which are organised by the Association or by a Member Association and for which a referee of the Association has been appointed to officiate, may not enter those areas of the stadium or ground which are reserved for players and other authorised persons until they have fully served their suspension.
- (ii) A player or another individual who breaches a suspension order as mentioned in para. (i) above, shall be reported to the Commissioner who shall proceed on such a report in accordance with the provisions of rule 5 of these regulations.
- (iii) If the Commissioner finds such a player or other individual guilty of having breached a suspension order, he shall inflict a new suspension which shall be double the original suspension inflicted on such a player or other individual. This new suspension shall commence to run from the date of the decision finding such player or other individual guilty and punishing such player or other individual in accordance with the provisions of this rule.
- (iv) In case that such a player or individual is again found guilty of having breached this new suspension order, the new suspension inflicted in accordance with the provisions of para. (iii) above shall be deemed to have been an original suspension for the purpose of this rule.

22. Appeals

- (i) There shall be a right of appeal against the decision of the Commissioner if:

- (a) it is alleged that a procedural irregularity has been committed by the Commissioner; or
 - (b) it is alleged that the wrong person was convicted by the Commissioner; or
 - (c) in the case where a suspension of more than two (2) matches for the same offence or a period suspension exceeding one (1) month for the same offence has been inflicted. Provided that in the case of concurrent suspensions inflicted by the Commissioner on the same player during the same sitting but for different offences, even if such offences had taken place during the same match, there shall be no right of appeal unless any of the offences on its own carries a suspension exceeding two (2) matches or a suspension exceeding one (1) month for the same offence, there shall be no right of appeal.
- (ii) The appeal shall be heard by the Appeals Board of the Association.
 - (iii) The provisions of the Statute of the Association relative to the Appeals Board shall apply to an appeal from a decision of the Commissioner unless these are in conflict with the rules established hereunder and in which case these rules shall apply in the case of such an appeal.
 - (iv) An appeal shall not have a delaying effect on the decision of the Commissioner which shall remain operative until such decision is canceled or mitigated by the Appeals Board.
 - (v) A player, an official or a Club which desires to make an appeal must file a petition in writing within six (6) days of the decision of the Commissioner. Clubs acting on their own behalf, or on behalf of a player or an official, may file the petition of appeal by e-mail, which shall be considered to be valid. A petition of appeal is to be accompanied by a deposit of one hundred and twenty euro (€120). Should the petition of appeal be filed by e-mail, then such e-mail must contain, on pain of nullity, an instruction to the Association to debit the Club's account held by the Association. A petition of appeal shall not concern more than one (1) player or official.
 - (vi) The Appeals Board shall consider as a means of evidence:
 - (a) the report of the Referee, the report of the Match Inspector, if any, and any other evidence produced before the Commissioner; and
 - (b) the appellant; and
 - (c) if it considers practical and necessary the Referee and the assistant referees, if any, and the Match Inspector, if any; and
 - (d) any other evidence which it deems necessary.
 - (vii) The Appeals Board shall hold its first sitting within one (1) week after the filing of the appeal and shall give its decision as early as practically possible. In the case of an allegation of mistaken identity only the appeal shall be heard before the next competitive match involving the player in question.
 - (viii) (a) The Appeals Board shall be assisted by the Secretary to the Board or another person nominated to act as a Secretary to keep the minutes of the proceedings and to render all the necessary assistance to the Board.
 - (b) The Commissioner or an Officer of the Association shall attend the sitting of the Appeals Board as an interested party to uphold the decision of the Commissioner.
 - (ix) (a) In order that an appeal under clause (1) para. (b) may succeed, the Appeals Board must be satisfied not only that the person convicted was wrongly convicted due to an error in identity but also that clear proof is brought forward as to who is the real offender.
 - (b) When an appeal is upheld under this clause, the Appeals Board shall cause a copy of the decision to be sent to the appellant and to his club as well as to the club of the real offender, if different from the club of the person freed, and shall refer the documents of the case and/or the other evidence to the Disciplinary Commissioner.
 - (c) When a case has been referred by the Appeals Board to the Disciplinary Commissioner as provided in sub. clause (b) above, the Commissioner shall, during his first sitting after such reference,

judge again the matter by declaring guilty the person whose name has been referred to him and punish him for the offence/s committed. In so doing, the Commissioner is not bound by the punishment which had been inflicted on the wrong person.

- (x) The Appeals Board shall decide on the costs of the appeal and on the forfeiture of the deposit if the appeal is not upheld.
- (xi) If the Appeals Board is of the opinion that a frivolous or irresponsible appeal has been lodged, besides ordering the forfeiture of the deposit and condemn the appellant to pay the costs of the appeal, it shall impose a fine not exceeding two hundred and fifty euro (€250) upon the appellant.
- (xii) The decision of the Appeals Board is final and binding unless a reference could be made or has been made to the Independent Arbitration Tribunal established by the Association's Statute. In the latter case, the decision of the Independent Arbitration Tribunal shall be final and binding.

23. Amendments

- (i) This Code may be amended from time to time by the Executive Board as it may deem fit and necessary.
- (ii) New offences or more severe penalties shall not have a retroactive effect.

REGULATIONS ON BRIBERY AND BETTING REGARDING FOOTBALL MATCHES

1. Matches shall be played in accordance with the principles of fair-play

- (i) Matches played under the jurisdiction of the Association and international matches in which a representative team of the Association or a team of a Member Club takes part shall be played in the utmost spirit of fair-play.
- (ii) It is the duty of all those who are in any way or manner whatsoever involved in matches as defined in clause (i) above to ensure that their involvement is based on the principles of loyalty, integrity and sportsmanship in accordance with the principles of fair-play. Thus all these must ensure that such involvement is free from any corrupt act or practice or from betting on such matches and that these will do their utmost to eradicate corrupt acts and practices from the game of association football also by immediately reporting to the Association any corrupt act or practise related to matches as defined in clause (i) above which comes to their knowledge.

2. Definition of a corrupt act or practice

A corrupt act or practice for the purpose of these regulations shall include any direct or indirect offer of any consideration whatsoever made to a Club or to a player, a licensed coach or a licensed referee with the intent that such Club or person will, in any manner whatsoever, influence or change in an unsporting manner the normal course or the result of a match as defined in article 1 clause (i) of these regulations. A corrupt act or practice shall also include the acceptance by a Club or a player, a licensed coach or a licensed referee from a Club or from anybody whomsoever of a promise of any consideration whatsoever and/or the actual acceptance by a Club or a player, a licensed coach or a licensed referee of any consideration whatsoever for the purpose of influencing or changing in an unsporting manner the normal course or the result of a match as defined in article 1 clause (i) of these regulations and/or for having actually influenced or changed in an unsporting manner the normal course or the result of a match as defined in article 1 clause (i) of these regulations.

3. Involvement in a corrupt act or practice is an offence

Any Club, any member of a Clubs' Management Committee or any other person authorised by the Association to perform a duty on behalf of a Club during a competitive match, any player, any licensed coach, any licensed referee, any licensed players' agent and any official or Executive Board or Board or Committee member of the Association will commit a very serious offence if in any manner whatsoever such Club or any of the persons above mentioned, in any way or manner whatsoever, involve themselves in an attempted or completed corrupt act or practice as defined in article 2 of these regulations. Furthermore, a licensed referee will commit a very serious offence if, in any manner whatsoever, he/she involves himself/herself in an attempted or completed corrupt act or practice as defined in article 2 above which may influence or change and/or had actually changed in an unsporting manner the normal course or result of an international match to which he/she has been appointed to officiate and/or in which he/she had actually officiated as the referee or as an assistant referee or as the fourth official or in relation to any other international match which is held in Malta.

4. Presumed liability of Member Clubs in a corrupt act or practice

In the event that a member of a Member Clubs' Management Committee or any other person authorised by the Association to perform a duty on behalf of a Club during a competitive match or a licensed coach engaged by a Club is involved in any attempted or completed corrupt act or practice as defined in article 2 of these regulations, such Club shall be held jointly and severally liable with such other person in the commission of the offence mentioned in article 3 of these regulations. The Club's liability in such a case is presumed *iuris et de iure* which means that this presumption may not be rebutted by proof to the contrary.

5. Civil liability in the case of corrupt acts or practices

- (i) (a) Any Club, any member of a Clubs' Management Committee, any other person authorised by the Association to perform a duty on behalf of a Club during a competitive match, any player, any licensed coach, any licensed referee and any licensed players' agent who is found guilty of having

committed the offence mentioned in article 3 of these regulations, shall also be personally liable for any civil damages caused to any Member Club and/or the Association.

- (b) In the case of a member of a Clubs' Management Committee, any other person authorised by the Association to perform a duty on behalf of a Club during a competitive match, any player and any licensed coach engaged by a Club, these shall also be personally liable for civil damages caused to their own Club.

- (ii) Any player who plays for any of the national teams of the Association and any licensed coach engaged by the Association in its coaching staff who is found guilty of having committed the offence mentioned in article 3 of these regulations with regards to a match of any of the national teams of the Association, shall also be personally liable for any civil damages caused to the Association and/or any Member Club, including his/her own.
- (iii) Any official and any Executive Board or Board or Committee member of the Association, any licensed players' agent and any licensed referee who is found guilty of the offence mentioned in article 3 of these regulations, shall also be personally liable for any civil damages caused to a Member Club.
- (iv) Civil damages caused to a Member Club shall include, but shall not be limited to, any loss which such Club may suffer as a result of a temporary or life suspension imposed on any of its players. In this regard, the value of a player shall be calculated in accordance with the parameters established by the Association regarding the value of players and the day of calculation shall be the one previous to the day on which a player has been suspended, even temporarily, by the Association and/or FIFA. In the case of separate decisions made by the Association and by FIFA, the relevant decision to be taken into account shall be the first one made.
- (v) Payment of civil damages suffered by a Member Club and/or the Association shall be without prejudice to any penal sanction which may be imposed or which may have already been imposed by the a Civil Court and/or any other sanction which may be imposed in accordance with these regulations and/or by a Club and/or by FIFA and/or by UEFA.
- (vi) In the case that the offence as defined in article 2 of these regulations has been committed and a Club or a person has been found guilty of such an offence:
 - (a) In the case that the Association had already liquidated civil damages in favour of a Member Club but the payment of such liquidated amount cannot be enforced through the Association, the Association shall give its permission to such Member Club to sue in the Civil Courts for the liquidation and/or payment of any civil damages it may have suffered; and
 - (b) in the case that the Association is entitled to receive payment for civil damages suffered and such payment cannot be enforced by the Association itself, the Association shall be entitled to sue in the Civil Courts for the liquidation and/or payment of those civil damages to which it may be entitled.

6. Penalties for corrupt acts or practices

- (i) (a) A Member Club which is found guilty of the offence mentioned in article 3 of these regulations shall be penalised with expulsion or with relegation or with loss of points during the same season when the case is adjudicated or during the following football season or with a fine not exceeding one hundred thousand euro (€100,000), depending on the gravity of the case. However, the latter three (3) punishments may be combined. Furthermore such a Club, if not expelled, will be barred from participating in international competitions for five (5) years.
- (b) These punishments shall be without prejudice to any punishment which FIFA and/or UEFA may impose on such Member Club.
- (ii) (a) A member of a Member Club's Management Committee, a person authorized by the Association to perform an official duty on behalf of a Club during a competitive match, a player, a licensed coach, a licensed referee, a licensed players' agent, and an official or a Board or Committee member of the Association who is found guilty of the offence mentioned in article 3 of these

regulations shall be suspended for life. The same punishment shall apply to a licensed referee who is found guilty of the offence mentioned in article 3 of these regulations with regards to an international match to which he has been appointed to officiate or in which he had actually officiated as the referee or as an assistant referee or as the fourth official or with regards to an international match scheduled to be played or which had actually been played in Malta even though he/she was neither appointed to officiate as the referee or as an assistant referee or as the fourth official.

(b) These punishments shall be without prejudice to any penal sanctions which may be imposed or had already been imposed by a Civil Court on the person found guilty, without prejudice to any punishment which FIFA and/or UEFA may impose on the person found guilty and without prejudice to any punishment which the Club of a person found guilty may impose on such person.

(iii) None of the above-mentioned punishments may be suspended.

7. Consequences on a domestic competitive match regarding which corrupt acts or practices had taken place

(i) In the case that a competent body of the Association establishes with regards to a domestic competitive football match that corrupt acts or practices had taken place and no protest or no valid protest by the damaged Club has been filed in accordance with the rules, regulations, bye-laws and decisions of the Association:

(a) If neither the damaged Club of the team which had lost nor the opponent Club were directly or indirectly involved in corrupt acts or practices, the match shall be declared null and void and shall be replayed.

(b) If neither the damaged Club of the team which had drawn the match nor the opponent Club were directly or indirectly involved in corrupt acts or practices regarding the match, it shall be up to such Club to decide whether the match should be replayed or not. However, the Club would have the right to decide that a replay takes place only if within twenty-four (24) hours of having been notified by the Association giving it this option it files a written declaration opting for a replay. If no such declaration is filed within the established time-limit the result of the match will stand.

(c) The provisions mentioned in sub-clauses (a) and (b) above shall not apply if the match was one played on a league basis and the league and/or the relevant phase of the league by the time of the decision the league or the phase of the league is over or if the match was one of a competition played on a knock-out basis and by the time of the decision the next match in the competition involving the other Club would have already been played.

(d) If the Club of a team that had lost or drawn a match which was the object of corrupt acts or practices was not directly or indirectly involved in any corrupt acts or practices regarding the match whilst the opponent Club was directly or indirectly involved in corrupt acts or practices with regards to the match, the damaged Club will be declared the winner of the match with a 2 v 0 score in its favour and awarded all the points of the match. This provision shall not apply if the match was one played on a league basis and the league and/or the relevant phase of the league by the time of the decision such league or the relevant phase of the league is over or in case that the match is one of a competition played on a knock-out basis if by the time of the decision the next match in the competition involving the other Club had already been played. However, if the competition is one played on a knock-out basis and the Club participating in the corrupt acts or practices is still participating in the competition it shall be immediately removed from the competition. Furthermore, if by the time of the decision the competition (league basis or knock-out basis) is over but such Club would have qualified to take part in an international competition, such Club shall not be eligible to participate in such international competition even if its participation would already have been confirmed by the Association to UEFA. In this latter case such participation shall be withdrawn by the Association.

(e) The decisions required to be taken under the provisions of this clause shall be made by the Control and Disciplinary Board of the Association.

(ii) In the case that corrupt acts or practices had been committed with regards to a competitive domestic match and a valid protest by the damaged Club has been filed with regards to such match:

- (a) If neither the Club of the team which has lost the match nor the opponent Club were directly or indirectly involved in corrupt acts or practices, the match shall be declared null and void and shall be replayed.
- (b) If neither the Club of the team which drew the match nor the opponent Club were directly or indirectly involved in corrupt acts or practices regarding the match, it shall be up to such Club to decide whether the match should be replayed or not. However, the Club would have the right to decide that a replay takes place only if within twenty-four (24) hours of having been notified by the Association giving it this option it files a written declaration opting for a replay. If no such a declaration is filed within the established time-limit the result of the match will stand.
- (c) The provisions mentioned in sub-clauses (a) and (b) above shall not apply if the match was one played on a league basis and the league and/or the relevant phase of the league by the time the decision is taken is over or if the match was one of a competition played on a knock-out basis and by the time the decision is taken the next match in the competition involving the other Club had been played.
- (d) If the Club of a team that had lost or drawn a match which was the object of corrupt acts or practices was not directly or indirectly involved in corrupt acts or practices regarding the match whilst the opponent Club was directly or indirectly involved in corrupt acts or practices with regards to the match, the damaged Club will be declared the winner of the match with a 2 v 0 score in its favour and will be awarded all the points of the match. This provision shall not apply if the match was one played on a league basis and the league and/or the relevant phase of the league by the time of the decision such league or the phase of the league is over or in case that the match was one of a competition played on a knock-out basis and by the time of the decision the next match in the competition involving the other Club would have already been played. However, if the competition is one played on a knock-out basis and the Club participating in the corrupt acts or practices is still participating in the competition it shall be immediately removed from the competition. Furthermore, if by the time of the decision the competition (league basis or knock-out basis) is over but such Club would have qualified to take part in an international competition, such Club shall not be eligible to participate in such international competition even if its participation would already have been confirmed by the Association and therefore such participation shall be withdrawn by the Association.
- (e) All decisions required to be taken under the provisions of this clause shall be made by the Protests Board of the Association.
- (f) In the case of valid protest, the Board shall rule on the evidence presented to it during the oral hearing/s of the protest even if other investigations by the Association are still being held in connection with the same match.

8. Disclosure by players approached to participate in corrupt acts or practices

- (i) Players have the duty to inform within twenty-four (24) hours the General Secretary of the Association if they are approached by anybody whomsoever with the intention of influencing them to change in an unsporting manner the normal course or result of a match by means of a corrupt act or practice as defined in article 2 of these regulations. In reporting such matter they must give all the available details.
- (ii) Players forming part of any national squad of the Association have the duty to inform within twenty-four (24) hours the General Secretary of the Association if they are approached by anybody whomsoever with the intention of influencing them to change in an unsporting manner the normal course or the result of an international match to which they may be called to take part by means of a corrupt act or practice as defined in article 2 of these regulations. In reporting such matter they must give all the available details.
- (iii) Failure by a player to observe the provisions of clauses (i) and/or (ii) above within the period of twenty-four (24) hours of having been approached shall commit an offence and on being found guilty shall be suspended from all football activities for a minimum period of one (1) year and a maximum period of three (3) years depending on the gravity of the case. Furthermore, if such player is a professional one, the Executive Board shall not permit the Club of the player to pay such player any remuneration whatsoever and such player shall be civilly liable towards his Club for any damages caused to such Club due to any suspension imposed on such player by the Association. The punishment

may be mitigated in case that such player, out of his own free will and before any such information would have reached the Association, reports the incident after the period of twenty-four (24) hours.

- Introduced:
22-06-2021
- (iv) For the purpose of this article, a report filed through a means officially recognised by the Association, even if anonymous, shall be sufficient to exonerate a player from the duty to inform should s/he later be identified. Provided that such player shall full cooperate in any related investigation

9. Disclosure by licensed coaches approached to participate in corrupt acts or practices

- (i) (a) Licensed coaches, including licensed coaches forming part of the Association's coaching staff, have the duty to inform within twenty-four (24) hours the General Secretary of the Association if they are approached by anybody whomsoever with the intention of influencing them to change in an unsporting manner the normal course or the result of a match by means of a corrupt act or practice as defined in article 2 of these regulations. In reporting such matter they must give all available details.
- (b) Failure by a licensed coach to observe the provisions of clause (i) above within the period of twenty-four (24) hours of having been approached shall commit an offence and on being found guilty shall be suspended from all football activities for a minimum period of one (1) year and a maximum period of three (3) years depending on the gravity of the case. This punishment may be mitigated in case that the coach concerned, out of his/her own free will and before any such information would have reached the Association, reports the incident after the period of twenty-four (24) hours.

10. Disclosure by licensed referees approached to participate in corrupt acts or practices

- (i) Licensed referees have the duty to inform within twenty-four (24) hours the President or the General Secretary of the Association if they are approached by anybody whomsoever with the intention of influencing them to change in an unsporting manner the normal course or the result of a match as defined in article 1 clause (i) of these regulations or with regards to an international match to which they have been appointed to officiate as the referee or as an assistant referee or as the fourth official by means of a corrupt act or practice as defined in article 2 of these regulations. In reporting such matter they must give all available details.
- (ii) Failure by a referee to observe the provisions of clause (i) above within twenty-four (24) hours of having been approached shall commit an offence and on being found guilty shall be suspended from all football activities for a minimum period of two (2) years and maximum period of five (5) years depending on the gravity of the case. This punishment may be mitigated in case that the referee, out of his/her own free will and before any such information would have reached the Association, he/she reports the incident after the period of twenty-four (24) hours.

11. Disclosure by Clubs and other persons in the knowledge of corrupt acts and practice

- (i) (a) Member Clubs, members of Clubs' Management Committees, persons authorized by the Association to perform an official duty on behalf of a Club during a competitive match and licensed coaches employed by Member Clubs have the duty to inform within twenty-four (24) hours the General Secretary of the Association if they have knowledge that an offence mentioned in article 3 of these regulations is about to be committed or has been committed with regards to a match as defined in article 1 clause (i) of these regulations and in which their Club is scheduled to play or which it had actually played. In reporting such matter these must give all the available details.
- (b) Failure by a Member Club to observe the provisions of clause (i) above shall be an offence and on being found guilty it shall be penalized with a minimum fine of two thousand euro (€2000) and a maximum fine of five thousand euro (€5000) depending on the gravity of the case. This punishment may be mitigated in case that the Club, out of its own free will and before any such information would have reached the Association, reports the incident after the period of twenty-four (24) hours.
- (c) Failure by a member of a Club's Management Committees or by a person authorized by the Association to perform an official duty on behalf of a Club during a competitive match or by a licensed coach engaged by a Member Club to observe the provisions of clause (i) above, on

being found guilty shall be suspended from all football activities for a minimum period of one (1) year and maximum period of three (3) years depending on the gravity of the case. This punishment may be mitigated in case that the person concerned, out of his/her own free will and before any such information would have reached the Association, reports the incident after the period of twenty-four (24) hours.

- (ii) (a) Licensed coaches forming part of the Association's coaching staff have the duty to inform within twenty-four (24) hours the General Secretary of the Association if they have knowledge that an offence mentioned in article 3 of these regulations is about to be committed or has been committed with regards to an international match of any of the national teams of the Association. In reporting such matter these must give all the available details.
- (b) Failure by a licensed coach to observe the provisions of clause (i) above within the period of twenty-four (24) hours of having been approached shall commit an offence and on being found guilty shall be suspended from all football activities for a minimum period of one (1) year and a maximum period of three (3) years depending on the gravity of the case. This punishment may be mitigated in case that such coach, out of his/her own free will and before any such information would have reached the Association, reports the incident after the period of twenty-four (24) hours.

12. Betting on football matches

- (i) Clubs, members of Clubs' Management Committees, any other person authorized by the Association to perform an official duty on behalf of a Club during a competitive match, players, licensed coaches, licensed referees, licensed players' licensed agents and officials or Board or Committee Members of the Association shall not, either directly or through the services of others, bet on any match as defined in article 1 clause (i) of these regulations.
- (ii) Referees shall not, either directly or through the services of others, bet on an international football match to which they have been appointed to act as the referee, or as an assistant referee or as the fourth official or during which he/she is actually officiating as the referee, as an assistant referee or as the fourth official.
- (iii) This prohibition relates to any form and kind of betting and in any manner and by any means whatsoever.

13. Presumptions in the case of betting

- (i) A Club that directly or through the services of others bets on a match that it is scheduled to play or it is actually playing will be presumed to have committed a corrupt act or practice as defined in article 2 of these regulations with regards to such match unless it proves the contrary.
- (ii) A member of a Clubs' Management Committee or a person authorized by the Association to perform an official duty on behalf of a Club during a competitive match or a player or a licensed coach engaged by a Club who directly or through the services of others bets on a match in which his/her Club is scheduled to play or it is actually playing will be deemed to have committed a corrupt act or practice defined in article 2 of these regulations with regards to such match unless he/she proves the contrary.
- (iii) A player who forms part of a national squad of the Association who directly or through the services of others bets on an international football match of any of the national teams of the Association will be deemed to have committed a corrupt act or practice as defined in article 2 of these regulations with regards to such match unless he/she proves the contrary.
- (iv) An official of the Association who directly or through the services of others bets on an international match of any of the national teams of the Association will be deemed to have committed a corrupt act or practice defined in article 2 of these regulations with regards to such match unless he/she proves the contrary.
- (v) A licensed coach engaged by the Association on its coaching staff who directly or through the services of others bets on an international match of any of the national teams of the Association will be deemed to have committed a corrupt act or practice defined in article 2 of these regulations with regards to such match unless he/she proves the contrary.

- (vi) A licensed players' agent who directly or through the services of others bets on a match as defined in article 1 clause (i) of these regulations will be deemed to have committed a corrupt act or practice as defined in article 2 of these regulations with regards such match unless he/she proves the contrary.
- (vii) A licensed referee who directly or through the services of others bets on a domestic or international match to which he/she has been appointed to officiate as the referee or as an assistant referee or as the fourth official or in which he/she is actually officiating as the referee or as an assistant referee or as the fourth official will be deemed to have committed a corrupt act or practice as defined in article 2 of these regulations with regards to such match unless he/she proves the contrary.

14. Penalties in the case of betting

- (i) A Club that is found guilty of betting on a football match which it is scheduled to play or it is actually playing without having committed a corrupt act or practice shall be penalised with relegation or with loss of points in the same season that the case is adjudicated or in the following season or with a fine not exceeding twenty thousand euro (€20,000). These three (3) punishments may be combined.
- (ii) A Club that is found guilty of betting on a football match in which it is not participating shall be penalised with a fine not exceeding ten thousand euro (€10,000).
- (iii) A member of a Clubs' Management Committee or other person authorized by the Association to perform an official duty on behalf of a Club during a competitive match or the licensed coach of a Club who bets on any football match in which his/her Club is scheduled to play or it is actually playing without having committed a corrupt act or practice shall be suspended for two (2) years.
- (iv) A member of a Clubs' Management Committee or a person authorized by the Association to perform an official duty on behalf of a Club during a competitive match and the licensed coach of a Club who bets on any football match in which his/her Club is not participating without having committed a corrupt act or practice shall be suspended for one (1) year.
- (v) An official, an Executive Board Member, a Board member and a Committee member of the Association who bets on any football match as defined in article 1 clause (i) without having committed a corrupt act or practice shall be suspended for two (2) years.
- (vi) A players' licensed agent who bets on a domestic football match without having committed a corrupt act or practice shall be suspended for one (1) year.
- (vii) A player who forms part of a national squad of the Association and an official of the Association who bets on an international match of any of the national teams of the Association without having committed a corrupt act or practice shall be suspended for three (3) years. This punishment shall be without prejudice to any other punishment which may be imposed by FIFA and/or UEFA.
- (viii) A licensed coach engaged by the Association on its coaching staff who bets on a match of any of the national teams of the Association without having committed a corrupt act or practice shall be suspended for three (3) years. This punishment shall be without prejudice to any other punishment which may be imposed by FIFA and/or UEFA.
- (ix) A licensed players' agent who bets on an international football match of a Member Club or of any of the national teams of the Association without having committed a corrupt act or practice shall be suspended for three (3) years. This punishment shall be without prejudice to any other punishment which may be imposed by FIFA and/or UEFA.
- (x) A licensed referee who bets on a domestic football match in which he has been appointed to officiate as the referee or as an assistant referee or as the fourth official without having committed a corrupt act or practice shall be suspended for three (3) years.
- (xi) A licensed referee who bets on a domestic football match in which he is not participating as the referee or as an assistant referee or as the fourth official without having committed a corrupt act or practice shall be suspended for two (2) years.
- (xii) A licensed referee who bets on an international football match in which he has been appointed to officiate as the referee or as an assistant referee or as the fourth official without having committed a corrupt act or practice shall be suspended for three (3) years and shall be immediately removed

form the FIFA International List of Referees or Assistant Referees if he/she is on any of such lists. This punishment shall be without prejudice to any other punishment which may be imposed by FIFA and/or UEFA.

(xiii) None of these penalties may be suspended.

15. Standard of proof of offences and rebuttal of presumptions

- (i) The standard of proof of offences committed against these regulations and rebuttal of presumptions which may be rebutted under these regulations shall be that under Maltese civil law, that is proof on the basis of probability.
- (ii) A sworn extra-judicial statement made by a person out of his own free will or a sworn judicial statement made by a person in criminal proceedings against him or against third parties may be received in evidence and acted upon both against himself and/or against third parties even if the person making such statement is unwilling or unable to tender evidence viva-voce before the Association's authorities. This will also apply if the person making such statement makes another extra-judicial statement/s giving a different version/s of the facts or if during the same or in different criminal proceedings against him or against third parties such person gives a different version/s of the facts.
- (iii) In the case of a statement made in the circumstances as described in sub-clause (ii) above, the party charged shall have the right to produce the person who had made such statement/s to cross-examine such person. However, the Association and/or any of its authorities shall not be responsible for bringing forward any such person to be cross-examined and if the Association's authorities deem that such person is unwilling or unable to come forward to be cross-examined these shall proceed as if such request had not been made.
- (iv) Any other kind of a verbal or written statement made by a person, whatever the circumstances in which such a statement was made, may also be received in evidence against him unless such person proves, within the time-limit established by the Association's authorities, that such statement was extorted from him illegally in such a manner as provided for in the rules of evidence found in the Maltese Criminal Code (Chapter 9 of the Laws of Malta). This will also apply if the person making such statement makes another statement/s giving a different version/s of the facts even if the latter statement/s is confirmed on oath judicially or extra-judicially.

16. Prescription

Offences committed against these regulations may be prosecuted for a period of eight (8) years after having been committed.

17. Amnesty

- (i) An amnesty may not be awarded with regards to fines.
- (ii) An amnesty may not be awarded with regards to expulsion or with regards to a suspension imposed on a Club or an individual in accordance with these regulations.
- (iii) Notwithstanding the provisions of clause (ii) above, if a member of a Clubs' Management Committee or a person authorized by the Association to perform a duty during a competitive match or a player or a licensed coach who has been convicted and suspended in accordance with these regulations collaborates with the Association in such a manner that effectively leads to the conviction of a Club or any other person of an offence/s committed against these regulations may, on the proposal of the Executive Board of the Association, be awarded a full or partial amnesty by the General Meeting of the Association.

18. Whistleblower

- (i) If a player, whether amateur or professional, or a licensed coach of a Member Club, voluntarily provides information relating to bribery and betting in football matches to the Association, which

matches are of any competition organised by the Association or international matches of any National Team of the Association, and confirms such information in front of the competent Board of the Association, which information leads to the conviction and suspension of another player, licensed coach or club official of the same Member Club, then the Association shall grant such player or licensed coach, upon request, the unconditional release from that Member Club, and this upon the judgement against another player, licensed coach or club official of the same Member Club shall become a *res judicata*.

- (ii) Upon such a case becoming a *res judicata*, the player or licensed coach who shall be eligible for the unconditional release according to sub-article (i) above, shall enter a request with the Association, requesting such release, and such request shall be forwarded to the competent Board dealing with cases related to bribery and betting in football.
- (iii) The Secretary of the Board shall, within twenty-four (24) hours from the receipt of such request, shall convene a meeting of the Board to discuss the player's or coach's request, and, after hearing the Member Club's submissions, decide accordingly.
- (iv) Whenever the Board decides in favour of the release of such player or licensed coach, then the release granted shall have immediate effect, and such player or licensed coach shall be able to register with a new Member Club according to MFA regulations. Moreover, such release shall be without prejudice to any remuneration that the player may be due from his former club.
- (v) The Secretary of the Board shall, within twenty-four (24) hours from the decision of the Board to grant the unconditional release to a player or licensed coach, inform the MFA Registrations Department of this decision.
- (vi) If the player or licensed coach of a Member Club, providing information relating to bribery and betting in football matches to the Association, according to sub-article (i) above, is found by the Board to have maliciously provided false information, with the intent to harm another player, coach or club official of the same Member Club, then the Board shall punish such player or licensed coach with a suspension for a period from three (3) years two life from all football related activities.

19. Coming into force of these regulations

These regulations will come into force on the 1st June 2009.

MALTA FOOTBALL ASSOCIATION

REGULATIONS FOR THE INVESTIGATION OF ALLEGATIONS AND FOR ADJUDGING UPON CHARGES RELATED TO BRIBERY IN FOOTBALL AND ILLICIT BETTING RELATED TO FOOTBALL MATCHES UNDER THE JURISDICTION OF THE ASSOCIATION

1. Investigation of Allegations of Bribery and Illicit Betting Related to Football Matches

- (i) The Association shall investigate founded allegations connected to the offences of bribery and illicit betting related to football matches and which offences are defined in the Association's Statute and in the Association's Regulations on Bribery and Betting Regarding Football Matches.
- (ii) The Association shall adjudicate charges regarding the offences mentioned in sub-clause (i) above.
- (ii) Investigations and adjudications mentioned in sub-clauses (i) and (ii) above shall be carried out in accordance with these regulations.

2. Office of Prosecutor of the Association

- (i) The Association shall have within its administrative structures the Office of Prosecutor which shall have as its head the permanent Prosecutor of the Association. This Office may have assigned to it other persons to help the Prosecutor in his duties.
- (ii) The Prosecutor shall preferably be a practicing lawyer or a practicing Legal Procurator. The other persons serving in the Office of Prosecutor shall be employees of the Association.
- (iii) The Prosecutor shall be appointed by the President or the Executive Board of the Association. The Prosecutor may be remunerated for his services as may be decided by the Executive Board and shall only be answerable to the President and the Executive Board.
- (iv) If the Office of Prosecutor is temporarily vacant or if the Prosecutor is unable or impeded from carrying out any of his duties in accordance with these regulations, the President or the Board may nominate another person to temporarily fulfill the duties of Prosecutor under these regulations. In this case the temporary Prosecutor shall have all the rights and duties of the permanent Prosecutor.
- (v) The Prosecutor shall have the duty to investigate allegations of bribery or attempted bribery and allegations of illicit betting related to football matches as defined in the Association's Statute and Regulations on Bribery and Betting Regarding Football Matches, to issue, either at his discretion or at the request of the Executive Board, charges related to such allegations, to conduct the prosecution of such charges before the competent adjudicating body of the Association, to defend in front the Appeals Board of the Association appeals filed against temporary suspensions imposed in accordance with these regulations and to defend decisions of the of the adjudicating body of the Association in front of the Board of Appeal of the Association and in front of the Independent Arbitration Tribunal established in accordance with the Association's Statute.
- (vi) In case that several investigations need to be carried out at the same time, the President or the Executive shall be entitled to nominate other temporary Prosecutors. These shall work under the direction of the permanent Prosecutor.

3. Investigation of Allegations Related to Bribery and Illicit Betting

- (i) (a) The Prosecutor shall, at the request of the Executive Board or the Administration Board (Bureau) or the President of the Association, expediently investigate allegations of bribery or attempted bribery and allegations of illicit betting related to football as defined in the Association's Statute and in the Association's Regulations on Bribery and Betting Regarding Football Matches.
- (b) The Prosecutor shall regularly keep informed the Executive Board of the Association about his work with regards to cases under investigation.
- (ii) If during an investigation a suspected individual, after having been informed that he is suspected of

having committed an offence as defined in the Association's Regulations on Bribery and Betting Regarding Football Matches, refuses to answer questions put to him, for the purposes of the investigation, his silence shall be tantamount to admission of guilt. Such silence may also be deemed by the adjudicating body of the Association to tantamount to an admission of guilt.

- (iii) (a) During an investigation the Prosecutor shall have the power to award a conditional exemption from disciplinary proceedings connected with the allegation he is investigating to any person whose evidence is deemed by him useful to arrive at the truth of the matter under investigation. Such exemption may only be considered if such person accepts to testify before the Prosecutor and declares that he will tell the whole truth about the matter being investigated, that he is prepared to confirm such evidence on oath and that eventually he will be prepared to confirm his evidence before the adjudicating body of the Association.
 - (b) It is in the absolute discretion of the Prosecutor investigating a case as to whether to apply such a conditional exemption and in favour of whom. Any decision of the Prosecutor in this regard shall be final.
 - (c) The Prosecutor shall only issue a Conditional Exemption Order in the case that the witness had actually testified before him, the Prosecutor is satisfied that the witness had told the whole truth and the witness had actually confirmed his evidence on oath.
 - (d) In case that the Prosecutor investigating a case decides to make a conditional exemption in accordance with this clause, the Prosecutor shall issue a written Conditional Exemption Order under his signature specifically mentioning the future conditions attached to the Conditional Exemption Order. The Conditional Exemption Order shall be issued in three (3) originals. The Prosecutor shall keep one original for his records, shall forward one (1) original to the General Secretary of the Association for the records of the Association and shall deliver the other original to the exempted person. A duly executed Temporary Exemption Order shall be proof of its contents.
 - (e) A Conditional Exemption Order made in accordance with the provisions of this clause shall become definitive and changed to a Full Exemption Order by the adjudicating body of the Association if the witness concerned eventually testifies before the adjudicating body of the Association and such body deems that such witness had told the whole truth. In this case the adjudicating body of the Association shall issue a written Full Exemption Order under the signature of the chairman of the adjudicating body. The Full Exemption Order shall be issued in three (3) originals. The adjudicating body of the Association shall keep one original for his records, shall forward one (1) original to the General Secretary of the Association for the records of the Association and shall deliver the other original to the exempted person. A duly executed Full Exemption Order shall be proof of its contents.
- (iv) (a) If after the conclusion of an investigation directly conducted by him or by a temporary Prosecutor the Prosecutor deems that there is sufficient evidence on the basis of which an individual or a Club or a Team upon which the Association has jurisdiction may be found guilty by the adjudicating body of the Association he shall issue the relative charge/s against such individual and/or Club or Team before the competent adjudicating body of the Association. In this case the Prosecutor shall inform in writing the Organ of the Association which had instigated the investigation about the issue of charges.
 - (b) If after the conclusion of an investigation the Prosecutor deems that the evidence available to him would not probably lead to the finding of guilt of anybody by the competent adjudicating body of the Association he shall make a written report about these findings to the same Organ which had requested him to conduct the investigation. In so doing he must give his reasons for having reached such a conclusion. However, whichever Organ of the Association may have instigated the investigation, if the Executive Board of the Association, even in case that it had not itself instigated the investigation, does not agree with such a conclusion, it shall have the power to request the Prosecutor to nevertheless issue the relative charges against an individual and/or Club or Team upon which the Association has jurisdiction and against whom or which the Executive Board may decide that charges should be issued. The Prosecutor shall comply with such request within the shortest time possible.

4. Temporary Suspension of Individuals

- (i) If an investigation has been requested by any of the Organs of the Association as mentioned in article 3 clause (i) of these regulations, at any time prior to the start of the investigation itself or during the investigation itself, in the case of an individual subject to the jurisdiction of the Association, if such an individual has already been found guilty by a court of criminal judicature in relation to the same facts about which the investigation has been requested, even in case that the case against such individual has not become a *res judicata*, the Executive Board or the Administration Committee (Bureau) of the Association shall, either of their own motion or at the request of the President or the Prosecutor of the Association, temporarily suspend such an individual from all football activities.
- (ii) In the case of an investigation which has been requested by any of the Organs of the Association as mentioned in article 3 clause (i) of these regulations, both in the case that an individual has been arraigned before a Court of Criminal Inquiry or charged before a Court of Criminal Judicature on the same facts under investigation and in the case that such individual, even if he not been arraigned or charged before a court of criminal jurisdiction but from the known facts under investigation it appears that such person could be found guilty by the competent adjudicating body of the Association, the Executive Board of the Association may, either of its own motion or at the request of the Association's President or Prosecutor temporarily suspend such individual from all football activities.
- (iii) (a) In the case of a temporary suspension made under this article, except in the case of a temporary suspension made in accordance with the provisions of clause (i) above, the suspended individual shall have the right to appeal against such temporary suspension to the Appeals Board of the Association in accordance with the relevant rules of the Association's Statute. The decision of the Appeals Board shall be final and binding.
 - (a) The hearing of any such appeal and/or the participation in a decision in such an appeal shall not debar any member of the Appeals Board from eventually hearing an appeal from a decision on the merits and/or on the punishment imposed by the competent adjudicating body of the Association.
- (iv) Any temporary suspension made under this article shall come into effect on the first Tuesday following the day of the decision and shall remain in effect until it is either lifted by the Appeal's Board of the Association or until such time as the case is finally decided and has become a *res judicata* for the purpose of the relevant rules and regulations of the Association or until it is lifted by the Executive Board. However, the Executive Board shall only lift a temporary suspension made prior or during an investigation if it agrees with the Prosecutor that no charges will be issued by the Prosecutor against such individual.
- (v) The General Secretary of the Association shall immediately inform the individual concerned and his Club and the Secretary of the competent adjudicating body of the Association of any temporary suspension made in accordance with the provisions of this article. He shall also inform the individual and his Club and the Secretary of the adjudicating body of any such temporary suspension or of any changes to the decision regarding such temporary suspension.
- (vi) The Executive Board may in its discretion inform the general public of any such temporary suspension and may even publish the name of any person affected by such a suspension.

5. Adjudicating Body to Decide upon Charges

The Association shall have within its disciplinary structures an adjudicating body which shall be competent to hear and decide upon charges filed by the Prosecutor of the Association in accordance with these regulations against individuals subject to the jurisdiction of the Association and/or against Clubs or Teams subject to the jurisdiction of the Association and to do all that which it is empowered to do in accordance with these regulations. This adjudicating body shall be known as the Board to Adjudicate Charges Relating to Bribery and Illegal Betting in Football, hereinafter, "the Board".

6. Constitution of the Board

- (i) The Board shall consist of a President, one (1) or two (2) Deputy Presidents as the Executive Board may decide and such other number of members as the Executive Board may decide.

- (ii) The President, Deputy Presidents and the members of the Board may not be Executive Board members or Observers or the Chairman or a member of the Board of Appeal of the Association or an employee of the Association or a member of a Member Club or Member Association.
- (iii) The President and at least one Deputy President shall preferably be lawyers or legal procurators.
- (iv) The General Secretary of the Association or another person as the Executive Board may decide shall act as Secretary to the Board.
- (v)
 - (a) The Members of the Board shall be nominated by the Executive Board during its first meeting after the Annual General Meeting of the Association and they shall hold office until the first Executive Board meeting after the next Annual General Meeting of the Association unless they resign or are removed from office by the Executive Board for a just and grave reason only.
 - (a) The Executive Board may at any time add new members to the Board. These shall hold office until the first Executive Board meeting after the forthcoming Annual General Meeting.
 - (b) In the case that a member of the Board is not confirmed in office after his term expires, unless such member had resigned or his office is not renewed by the Executive Board for a just and grave reason, if such member has been assigned to a case which is still pending such member shall continue to be a member of the Board until such time as such case has been definitely concluded by the Board.
- (vi) The Executive Board may remunerate the members of the Board for their services rendered in a case. The amount of remuneration shall be decided by the Executive Board in consultation with the President of the Board.

7. Constitution of Panels

- i)
 - (a) Depending on the number of members nominated by the Executive Board to the Board, the President of the Board may assign different cases to be heard by different Panels. However, for the hearing and adjudication of a charge, a Panel shall, at the discretion of its President, either consist either of five (5) or of three (3) members, including the Chairman of the Panel.
 - (b) The Panel hearing a case, whether consisting of five (5) or three (3) members, shall always include at least include the President or a Deputy President of the Board. In the case that the President of the Board is not a member of the Panel assigned to a case, the Deputy President of the Board on the Panel shall act as the Chairman of the Panel. If both Vice-Presidents of the Board are members of the Panel, the President of the Board shall decide who of them will be the Chairman of the Panel for that case.
- ii) In the case that different charges are brought against different parties but which are based on the same facts, the President of the Board shall order that all the different charges are heard simultaneously and decided by the same Panel simultaneously.
- iii) If a member of the Board, whilst assigned to a Panel to hear a case, resigns or is removed by the Executive Board for a just and grave reason or for any other reason whatsoever is unable to continue hearing such a case, the President of the Board shall substitute such member with another member of the Board. If the substituted member is the Chairman of the Panel, the President of the Board himself shall become the Chairman of the Panel. Otherwise, the other Deputy President of the Board, if nominated, shall become the Chairman of such Panel. In any such instance, unless the case has been deferred for judgment, in which case the parties to the case shall be entitled to again make their final submissions, the case shall continue to be heard before the Panel with the new member/s without the necessity of re-hearing any of the witnesses provided that all the evidence tendered so far *viva-voce* had been taken down in writing and a copy of such evidence is made available to such new member/s. Otherwise, the hearing of the case will start afresh.

8. Expedient Hearing of a Charge

- (i) The Prosecutor shall file his charges with the Secretary of the Board.
- (ii) When a charge has been filed by the Prosecutor the Board's Secretary shall immediately inform the

President of the Board that such charge was filed and shall also inform him of any temporary suspension related to the case.

- (iii) When the President of the Board is informed of the filing of a charge, as soon as practicably possible, he shall decide on the composition of the Panel to hear such charges, either directly or through the Board's Secretary inform the members of the Board assigned to the Panel to hear such charges about their nomination, order the Board's Secretary to serve a copy of the charges to the members of the Panel and to inform the Chairman of the Panel of any temporary suspension related to the case. At the same time, the President of the Board shall order the Board's Secretary to serve a copy of the charges on the individual/s and/or Club/s or Team/s charged. In the case that only an individual is charged his Club will also be given a copy of the charges.
- (iv) The Chairman of the Panel assigned to a case shall call the first sitting of the Panel as early as practicable.
- (v) The Panel assigned to a case shall hear the charges brought before it and shall take a decision within one (1) month of the first sitting held. In case that the Panel requires more time to conclude a case or cases pending before it, it shall, through the Board's Secretary, inform the Executive Board of the reason for the delay and of the anticipated time needed for the conclusion of the case or cases. The Executive Board may fix a time limit in which the Panel must conclude such case or cases.

9. Temporary Suspensions by a Panel Hearing a Charge

- (i) Pending the hearing of a charge, the Panel hearing the case shall temporarily suspend from all football activities any person charged who had not already been temporarily suspended by the executive Board. No appeal may be filed against such a temporary suspension.
- (ii) Any temporary suspension made under this article shall come into effect on the first Tuesday following the day of the decision and shall remain in effect until such time as the case is finally decided and has become a *res judicata* for the purpose of the relevant rules and regulations of the Association.
- (iii) The Panel shall, through the Secretary of the Board, inform the General Secretary of the Association of any temporary suspension made in accordance with the provisions of this article. The General Secretary shall immediately inform the individual concerned and his Club as well as the Executive Board. The Executive Board may in its discretion inform the general public of any such temporary suspension and may even publish the name of any person affected by such a suspension.

10. Procedure in the Adjudication of a Case

- (i)
 - (a) The Chairman of the Panel shall, as soon as practicable after taking cognizance of a case, fix the date, place and time of the first hearing.
 - (b) The Board's Secretary shall inform in writing the Prosecutor and any party charged of the date, place and time of the first hearing at least six (6) days prior to the date of such first hearing. If only an individual is charged his Club shall also be informed.
 - (c) If more than one (1) sitting is needed for the conclusion of a case, the next sitting shall be fixed during the same sitting and the parties to the case shall be verbally informed. In such a case the parties need not be given any further notice about the next sitting. However, if in exceptional circumstances a different date is set by the Panel for the next sitting, the parties shall be informed in writing of the date, place and time of such new sitting at least three (3) days before the sitting.
- (ii) Subject to the provisions contained in these regulations and in the other rules and regulations of the Association, so long as these are not in conflict with the provisions of these regulations, the Panel shall establish the procedure to be adopted in the hearing and adjudication of a case.
- (iii) Adjournments at the request of any of the parties may only be considered and may only be accepted in exceptional circumstances.

- (iv) (a) In the carrying out of its duties a Panel assigned to a case shall be entitled to summon and hear witnesses and to receive documents in evidence. In this regard the Panel shall have all those powers which the Association's Executive Board has.
- (a) The Panel may require a witness, unless he has already done so, to confirm on oath the contents of evidence tendered before the Panel. This shall be done by the witness concerned in such a manner and within such time-limit as the Panel may decide, provided that the manner adopted by the Panel conforms to the Laws of Malta. Failure by a witness upon whom the Association has jurisdiction to confirm such evidence on oath in such manner and/or within such time-limit as the Panel may have imposed, is deemed to be a very serious offence. In such a case, after the Chairman of the Panel informs such witness, either verbally or in writing, of the consequences that he may suffer because of his refusal to abide by the Panel's decision, the Panel shall temporarily suspend such witness from all football activities and shall refer the case to the Control and Disciplinary Board of the Association which upon finding such witness guilty of the offence mentioned in this sub-clause shall suspend such witness from all football activities for a minimum period of three (3) years and a maximum period of five (5) years.
- (v) (a) A Panel hearing a case has the power to exempt from disciplinary proceedings connected with the charges it is adjudging any person whose evidence is considered by the Panel useful to arrive at the truth of the matter. Such an exemption may only be given if such person accepts to testify before the Panel, the witness actually testifies, the Panel is of the opinion that such witness has testified the truth and such witness abides by the Panel's decision to confirm his evidence on oath. It is in the absolute discretion of the Panel hearing a case whether to apply such an exemption and in favour of whom. Any decision of the Panel in this regard shall be final.
- (b) The Panel hearing a case which has decided to grant an exemption to an individual from disciplinary proceedings as provided in sub-clause (v)(a) above has also the power to exempt the Club of such individual from disciplinary proceedings and/or punishment connected with the same facts regarding which such an exemption has been granted provided that the responsibility of the Club only stems from the fact that the exempted individual, which could otherwise have been found guilty, was at the time of the commission of the offence a member of the Management Committee of such Club.
- (c) In case that the Panel decides to *grant* exemptions as *provided for* in sub-clauses (v)(a) and (v)(b) above, the Chairman of the Panel shall issue an Exemption Order/s in writing under his signature in three (3) originals confirming such exemption/s. The Panel shall keep one original for the records of the Board, shall forward one (1) original to the General Secretary of the Association for the records of the Association and shall deliver the other original to the exempted person *and Club*. A duly executed Exemption Order shall be proof of its contents.
- (vi) (a) At the start of the hearing of a case the Prosecutor shall make a brief statement outlining the charges and the basis of such charges. He shall then produce all the available evidence to him. This may consist of oral witnesses and/or documents.
- (b) For the purpose of examining *viva voce* witnesses, the Prosecutor shall have the right to summon any person upon whom the Association has jurisdiction. However, if such person, after having been duly summoned, fails without a justified reason to the satisfaction of the Panel to appear before the Panel or if such witness, although present for the hearing, fails to testify, the Panel shall be entitled to continue with the hearing of the case as if such person had never been requested to testify.
- (c) It is a serious offence for a witness upon whom the Association has jurisdiction to fail to testify when summoned by the Board or the Prosecutor. In any such case the Panel shall temporarily suspend such person from all football activities and shall refer the matter to the Control and Disciplinary Board of the Association to take disciplinary measures against such person. However, if the Panel is satisfied that such person is justified in not having been present at a sitting or in not replying to specific questions, the Panel shall not suspend such person and shall not refer him to the Control and Disciplinary Board of the Association.
- (d) In case that an individual is referred to the Control and Disciplinary Board and the Board finds such witness guilty of the offence mentioned in sub-clause (vi) (c) above it shall suspend him from all football activities for a minimum period of three (3) years and a maximum period of five (5) years.

- (vii) The party charged shall have the right to cross-examine witnesses. However, such party shall not have the right to cross-examine any witness in case that the party charged and/or its representative would have failed to be present when duly informed of a hearing during which such witness was examined or in case that although the party charged and/or its representatives were present they had failed to cross-examine such witness.
- (viii) (a) After the Prosecutor declares that he does not have further evidence to produce, the party charged shall have the right to produce its evidence. At this stage the party charged may call and examine witnesses and to produce documents in its defence.
 (b) The Prosecutor shall have the right to cross-examine witnesses produced by the party charged.
- (ix) (a) For the purpose of examining *viva-voce* witnesses the party charged may request the Panel during a hearing or the Board's Secretary outside a hearing to summon a person to give evidence on its behalf provided that the Association has jurisdiction over such person. In the case that such a request is made outside a hearing such request must, under pain of nullity, be in writing and made to the Board's Secretary at least six (6) days prior to the date of the sitting during which such person is required to tender evidence. However, if such person, after having been duly summoned, without a justified reason to the satisfaction of the Panel fails to appear before the Panel or if such witness although present for the hearing fails to testify, the Panel shall be entitled to continue with the hearing of the case as if such person had never been requested to testify.
 (b) It is a serious offence for a witness upon whom the Association has jurisdiction to fail to testify or to answer questions in cross-examination. In any such case the Panel shall temporarily suspend such person from all football activities and shall refer the matter to the Control and Disciplinary Board of the Association to take disciplinary measures against such person. However, if the Panel is satisfied that such person is justified in not having been present at a sitting or in not replying to specific questions, the Panel shall not suspend such person and shall not refer him to the Control and Disciplinary Board of the Association.
 (c) In case that an individual is referred to the Control and Disciplinary Board and the Board finds such witness guilty of the offence mentioned in sub-clause (ix) (b) above it shall suspend him from all football activities for a minimum period of three (3) years and a maximum period of five (5) years.
 (d) It is the responsibility of the party requesting a witness upon whom the Association has no jurisdiction to ensure that such witness is brought forward to testify. If such a witness fails to appear before the Panel or although present fails to testify, the Panel shall be entitled to continue with the hearing of the case as if such person had never been requested to testify.
 (e) In the cases mentioned in sub-clauses (ix) (a) and (d) above, neither the Board nor a Panel nor the Association shall be held responsible to bring forward any such witness to testify.
- (x) In the case that a witness over whom the Association has jurisdiction appears before the Panel, whether such person has been summoned by the Prosecutor or by the party charged or by the Panel or by the Association, and the Panel is of the opinion that such person has not told the truth or the whole truth, the Panel shall temporarily suspend such person and shall refer the matter to the Control and Disciplinary Board of the Association to take disciplinary measures against such person. Upon finding such person guilty of such charge the Control and Disciplinary Board shall suspend such person for a minimum period of five (5) years and a maximum period of eight (8) years.
- (xi) The Panel is entitled to call any person to give evidence, even if such person has not been summoned by any of the parties and even if such person is not subject to the jurisdiction of the Association provided that the hearing of such witness shall not unduly cause a delay in the conclusion of the case.
- (xii) (a) After the party charged declares that it has no more evidence to produce, the Prosecutor shall be entitled to make his final oral submissions to the Panel and immediately afterwards any party charged shall be entitled to make its final oral submissions to the Panel.

- (b) The amount of time allowed to the parties to make their oral submissions shall be decided by the Panel.
 - (c) The Panel may also require the parties to make their submissions in writing within such time-limit as the Panel may establish. In such a case the other parties to the case shall be provided by the Panel with a copy of such written submissions. It shall be in the absolute discretion of the Panel as to whether to allow the parties to reply in writing to the written submissions within such time-limit as the Panel may establish or to fix a final sitting for final verbal replies to the written submissions. It shall also be in the absolute discretion of the Panel whether to allow the hearing of any witness after the tendering of evidence stage has been surpassed.
- (xiii)
- (a) Upon the conclusion of the final submissions by the parties the Panel shall give its decision on the case.
 - (b) In the case that individuals are found guilty, the Panel shall punish the guilty persons in accordance with the relevant rules of the Association.
 - (c) In the case that a Club is found guilty, the Panel shall have the power to deal with such Club as it may deem fit. This power shall include that of imposing a fine, suspending a Club or Team for a period, relegating a Club or Team to an inferior Division/s or expelling a Club or Team. However, in case of the expulsion of a Club or Team, such expulsion shall be subject to the approval of the Executive Board. If the Executive Board does not agree with the decision of expelling the Club or Team such Club or Team shall be ordered by the Executive Board to compete in the lowest Division. The decisions needed to be taken by the Executive Board shall be made either immediately after the decision of the Board or immediately after the decision of the Board of Appeal or immediately after the decision of the Independent Arbitration Tribunal at the discretion of the Executive Board.
 - (d) In the case of a final and binding decision regarding the expulsion of a Club or Team, if such expulsion is approved by the Executive Board, such decision shall be carried out with immediate effect. In the case of a final and binding decision imposing the penalty of immediate relegation of a Club or Team, if the draws of the league to which such Club or Team has been relegated to have already been made, the Club or Team affected by such relegation shall be relegated from the division in which it would have otherwise the right to compete during the current football season. Furthermore, such Club or Team shall be debarred from taking part or from continuing to take part in any competition to which it may otherwise have been entitled to compete during the current football season. In this case such Club or Team shall not be replaced in any competition whether run on a league basis or on a knock-out basis. In the case of a final decision imposing the penalty of loss of points applicable to the Senior Team of a Club, such penalty shall apply to the National League competition and shall be effective during the same football season during which the decision has become final and binding.
 - (e) The relevant provisions of sub-clause (xiii)(d) above shall also apply in case that Executive Board does not agree with the decision to expel the Club or Team and orders that such Club or Team should compete in the lowest Division
 - (f) The party found guilty, whether a Club or Team or an individual, shall also be condemned by the Panel to pay all the expenses of the case, including such reasonable amount payable by the Association to the Prosecutor and/or the members of the Panel for that case. In the case of a person found guilty, if such person, during the commission of the offence, was a member of the Management Committee of a Club or Team, if such Club or Team was also found guilty on the basis of the same facts, such Club or Team shall be held jointly and severally liable with such person for the payment of the expenses of the case.
 - (g) The decision of the Panel shall be signed by the Chairman of the Panel.
 - (h) The decision of a Panel duly signed by the Chairman of the Panel shall tantamount to a decision of the Board.
 - (i) The Board's Secretary shall immediately send the decision of the Board to the General Secretary of the Association who shall immediately send a copy of the decision to the parties to the case and who, in the case of an expulsion of a Club or Team, shall refer the matter to the Executive Board of the Association for its decision regarding such expulsion.

11. Right of Appeal against a Decision of the Board and Res Judicata

- (i) Any person or Club or Team found guilty by the Board may appeal the decision to the Appeals Board of the Association. The Prosecutor may also lodge an appeal on behalf of the association against a decision of the Board where in his judgment he deems that the penalty inflicted is not commensurate to the offence or breach in question.
- (ii) Appeals shall be made in accordance with the relevant provisions of the Association's Statute and the provisions of the Appeals Board shall apply to any such appeal. Appeals on behalf of the Association under the preceding sub-article shall be exempt from the deposit of the fee to appeal.
- (iii) The decision of the Board shall be final and binding unless a valid appeal has been made to the Appeals Board of the Association. In case that a valid appeal has been filed, the decision of the Appeals Board of the Association shall be final and binding unless a reference could be made and had validly been made in accordance with the rules of the Independent Arbitration Tribunal established by the Association's Statute. In the latter case, the decision of the Independent Arbitration Tribunal shall be final and binding.

12. Execution of the Board's Decision

- i) After the receipt of the Board's decision which is final and binding or if a valid appeal has been filed, after the receipt of the decision of the Board of Appeal which is final and binding, or if a reference to the Independent Arbitration Tribunal has been made, after receipt of the decision of the Independent Arbitration Tribunal, the General Secretary of the Association shall, at the earliest opportunity, bring such decision to the attention of the Executive Board of the Association. The Executive Board shall as soon as practically possible take all those necessary measures so that the decision of the Board or the Board of Appeal or the Independent Arbitration Tribunal, as the case may be, is put into effect.
- ii) A valid appeal filed against the Board's decision and a valid reference to the Independent Arbitration Tribunal shall constitute a bar to the immediate execution of the decision of the Board and this until the decision of the Appeals Board or Independent Arbitration Tribunal, as the case may be, has become final and binding.

13. Coming into force of these Regulations and Transitory Provisions

- (i) These regulations shall come into force with immediate effect.
- (ii) (a) Provisions in these regulations which may negatively affect an individual or a Club or a Team shall not apply to cases of which the Association has become aware of on the day of the coming into force of these regulations. However, provisions which shall not negatively effect such individual or Club or Team shall be applicable.
- (b) The decision as to whether provisions in these regulations may negatively affect an individual, Club or Team shall be taken by the Board investigating or adjudicating the relative case.
- (iii) (a) The present Rules for the Investigation of Allegations of Bribery In Football Under The Jurisdiction Of The Association shall cease to have effect as soon as any case which the Association has been aware of on the coming into force of these regulations is decided and has become a res judicata for the purpose of the rules, regulations and bye-laws of the Association.
- (b) When the present Rules for the Investigation of Allegations of Bribery in Football Under the Jurisdiction of The Association cease to have effect the General Secretary of the Association shall by means of circular-letter under his signature inform the Member Clubs and Member Associations that these regulations have ceased to have effect.