



Executive Summary

Internal investigation on administrative practices within the Registrations Department of the Malta FA

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Terms of Reference

The following Terms of Reference were provided in a letter sent by the Malta Football Association (MFA) on February 14, 2024, to Dr. Adrian Camilleri, MFA Disciplinary Inspector. The letter highlighted concerns raised by recent Protests Board decisions regarding administrative practices within the Registrations Department of the Association.

Background

Protest 1

Premier League match: Hibernians FC vs. Hamrun Spartans FC

Dated: 20th January 2024

Decision: Heard on the 1st February 2024 and issued on the 6th February 2024

The Board stated:

“The Board is of the opinion that it is imperative that the Association improves all internal procedures to ascertain that the information conveyed through TMS reports is correct, and to eliminate as far as possible any such occurrences.”

Protest 2

Premier League match: Mosta FC vs. Sirens FC

Dated: 3rd February 2024

Decision: Heard on 9th February 2024 and issued on the 12th February 2024.

Following the decision in Mosta FC vs Sirens FC, there were also claims by the Protesting Club alleging malpractices or even discrimination or favouritism.



Scope of Investigation

This internal investigation aimed to address the following key areas:

1. Identifying the nature of deficiencies highlighted by the Protests Board and implementing measures to ensure the adequacy and consistency of transactions.
2. Evaluating the role of the General Secretary in fulfilling duties related to the Registrations Department, particularly concerning the issues raised in the aforementioned Protests.
3. Investigating any instances, whether systematic or isolated, of breach of confidentiality or unauthorized disclosure of information, contravening established obligations under the Association's Statute and Regulations, including the Malta FA Internal Organisation Regulations (Employee Handbook).

The MFA Disciplinary Inspector conducted interviews with key individuals namely; Mr. Rodney Pisani, Director of Football Services; Mr. Angelo Chetcuti, General Secretary and the two staff members within the Registrations Department Mr. Ivan Calamatta, and Mr. Chris Vassallo.

The findings of this investigation will be crucial in guiding necessary improvements to internal procedures and ensuring compliance with MFA regulations and standards.

Key findings

1. An error had been made when a staff member inputted information relating to disciplinary sanctions when filling-in a particular TMS report. The staff member involved, Mr. Ivan Calamatta, admitted this oversight and disciplinary action was taken against the staff member. However, it also transpired during the interview with Mr. Chris Vassallo regarding the TMS report procedure, he stated that no research is conducted on whether players have been sanctioned by the MFA prior to sending the report to a foreign federation. Consequently, all TMS reports omit any reference to such sanctions. Vassallo also said that this was the case because no one ever informed them that a player would have to serve a sanction received in Malta in a foreign league in the case of a transfer of the player to that league and therefore there was no use for searching and inputting such information in the TMS report. This statement directly contradicts Mr. Calamatta's claim, indicating that the oversight was an isolated incident. Furthermore, FIFA Rule 12 Enforcement of Disciplinary Sanctions (refer to Annex 1), which was already into force on 1 September 2005 specifies:

"When issuing the ITC, the former association shall notify the new association via TMS (for players to be registered as professionals) or in writing (for players to be registered as amateurs) of any such disciplinary sanction that has yet to be (entirely) served."

Moreover, the General Secretary sent an email on the 3rd May 2023, with FIFA Circular no. 1843 pertaining to Registration bans – Regulations on the Status and Transfer of Players / FIFA Disciplinary Code (refer to Annex 2).

It is worth mentioning that the General Secretary suggested a FIFA International Player Transfer Course for Mr. Vassallo, held at FIFA HQ in November 2023, which Mr. Vassallo participated in. Mr. Vassallo had reiterated that no research at all would be made on whether the player concerned would have been sanctioned by the MFA or not and therefore all TMS reports would include no reference to any such sanctions.

Hence, based on communication received from FIFA and shared by the General Secretary with the Department, along with Mr. Vassallo's recent TMS training, there should be no ambiguity regarding this matter.

2. The focal point of the issue revolves around the interpretation of clause 4.6.1 of Section IV of the MFA Rules. The MFA Disciplinary Inspector believes that the fact that the matter at hand was escalated from Mr Rodney Pisani to Dr Angelo Chetcuti was a positive approach because if there was doubt on how a rule should be interpreted, the Secretary General was definitely the best positioned to give a view on this matter. In fact, a view was taken, however there seems to have been a lack of communication between staff on how such should be implemented. Mr. Calamatta and Mr. Vassallo seemed to believe that the interpretation applied solely to cases where clubs exceeded the limit of non-homegrown players. However, Mr. Pisani clarified that he did not specify such limitations to his staff.

It is noted that previously there have been players released past the transfer window. Please refer to Annex 3.

Despite any prior decisions made by the Registrations Department in similar cases, once a direction was provided following this escalation, it should have been adhered to.



Recommendations

1. Amending Regulations

- Revise clause 4.6.1 of Section IV of the MFA Rules to eliminate ambiguities, considering clause 3.10 for clarity.
- Discuss with stakeholders whether the MFA should continue notifying clubs in breach of the numerus clausus regarding non-home-grown players. Establish guidelines for issuing alerts to ensure fair competition.

2. Operational Improvements

- Provide staff training and implement quality control measures to minimize errors in TMS processes.
- Establish procedures for escalating issues to the Head of Registrations and, if necessary, the Secretary General.
- Develop procedures for handling players potentially subject to sanctions.
- Enforce the "four-eye principle" for document filling to maintain reliability.
- Collaborate with the provider of COMET to promptly address operational challenges encountered.

3. Enhanced Efficiency Measures

- Enhance communication channels to ensure clear and written communication of information and decisions to staff, reducing misunderstandings.

4. Leak of Confidential Information

- No evidence has been discovered indicating how certain confidential information may have been accessed by unintended recipients. Nevertheless, leaks to unintended parties pose a significant threat to the integrity and fairness of football administration in Malta. The MFA must proactively address this issue to maintain transparency, fairness, and trust within the organization. While challenging, ongoing staff education and thorough internal investigations are essential steps to identify breaches of confidentiality and implement appropriate disciplinary measures against those responsible.