



FOOTBALL
NSW

GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 16-01
Date of hearing	23 March 2016
Time of hearing	6.30pm
Venue of hearing	FNSW Board Room
Tribunal Member(s)	Mendo CKLAMOVSKI
Respondent	Fabio MACEROLA (FFA: 63487177)
Fixture	U15s NPL 1 Marconi Stallions FC v Blacktown Spartans FC on 19 March 2016 at Marconi Stadium

This Notice constitutes the General Purposes Tribunal's Determination resulting from the Tribunal hearing listed above.

Charge(s) and Determination(s):

Charge(s)	Tribunal determination
<p>1. The Respondent (coach of Blacktown Spartans) used offensive, insulting or abusive language and/or gestures towards a Match Official in breach of section 15.4(d), Schedule 3, Table B, Number 1 of the FNSW Grievance and Disciplinary Regulations (Regulations).</p>	<p>1. <u><i>Plea</i></u>: Not guilty. <u><i>Finding</i></u>: Guilty <u><i>Determination</i></u>: Suspension of 3 Fixtures (MMS + 2 Fixtures). <u><i>Reasons</i></u>: While the Respondent denied using any abusive language both the referee and assistant referee confirmed their earlier statements and maintained that the Respondent had used abusive language and refused to leave the bench immediately when asked to do so by the referee. The Tribunal felt that on the balance of probabilities, the Respondent is guilty of this charge. In determining the sanction, the Tribunal considered the Respondent's admission that he had previously been suspended and that his record since had improved.</p>
<p>2. The Respondent, having been expelled from the field of play, had contact with a Match Official within one hour after the conclusion of the match in breach of section 16.6(f)(iii)(C) of the Regulations.</p>	<p>2. <u><i>Plea</i></u>: Guilty. <u><i>Finding</i></u>: Guilty. <u><i>Determination</i></u>: Reprimand. <u><i>Reasons</i></u>: In admitting guilt, the Respondent advised the Tribunal that he was not aware of this requirement until reading the charges. The Tribunal believed that the Respondent was genuine in his lack of understanding of this requirement. Given this admission and explanation,</p>

	the Tribunal has determined that the Respondent receive a reprimand.
Costs: The Tribunal determined that the costs of the Tribunal, as determined by FNSW, be met by the Respondent.	

Aggrieved parties to a determination of the FNSW General Purposes Tribunal may lodge an appeal to the FNSW Appeals Tribunal in accordance with sections 8.8 and 9.2 of the FNSW Grievance and Disciplinary Regulations. Any appeal must be submitted by completing the online Notice of Appeal form (Prescribed Form 12 – available on the FNSW website or by clicking [here](#)) and lodging the relevant Application Fee (\$750) within 7 working days of this determination being issued.

24 March 2016
Mendo Cklamovski
Member
GENERAL PURPOSES TRIBUNAL