

GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

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| Tribunal reference | MGPT 16-82 |
| Date of hearing | 22 November 2016 |
| Time of hearing | 6:30pm |
| Venue of hearing | Football NSW |
| Tribunal Member(s) | Mendo CKLAMOVSKI |
| Respondent | Zohier BELKADI (FFA: 54684386) |
| Fixture | Futsal State League (FSL) Open Men's match between Northern Beaches Breakers and Central Coast Futsal Club on 22 October 2016 at Sydney Olympic Park Sports Halls. |

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 |
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| <p>1. The Respondent (Zohier Belkadi) used offensive, insulting or abusive behaviour and/or gestures towards or about 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>Or in the alternative</p> <p>The Respondent displayed unsportsmanlike or unprofessional behavior in breach of 15.4(d), Schedule 3, Table C, Number 7 of the Regulations.</p> | <p>1. <u><i>Plea</i></u>: Not Guilty. <u><i>Finding</i></u>: Guilty</p> <p><u><i>Determination</i></u>:</p> <p>Three (3) Fixture Suspension</p> <p><u><i>Reasons</i></u>: <i>The GPT found there was sufficient evidence to show that the Respondent's behavior in continually questioning the referee decisions was insulting or abusive based on the clear evidence of two of the Match Officials and the GPT accepted that the language used by the Respondent was directed at the Match Officials whose evidence strongly supported their statements.</i></p> |

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| <p>2. The Respondent displayed unsportsmanlike or unprofessional behavior in breach of 15.4(d), Schedule 3, Table C, Number 7 of the Regulations.</p> | <p>2 <u>Plea:</u> Not Guilty. <u>Finding:</u> Guilty</p> <p><u>Determination:</u></p> <p>Four (4) Fixture Suspension</p> <p><u>Reasons:</u> <i>The GPT accepted the evidence supplied by the Match Officials finding the Respondent guilty of unsportsmanlike and unprofessional behavior in kicking a water bottle towards the wall near the bench.</i></p> <p><i>The GPT accepts that this may have been in frustration and directed at his team and without the intention to cause harm. In coming to this this assessment, the GPT noted that the Match Official had observed the behavior but chose not to take action as he felt it was not serious enough in itself despite it being a form of dissent.</i></p> |
| <p>3. The Respondent failed to follow any reasonable direction of an Official or Football NSW employee or representative in relation to conduct and/or behavior at a Match in breach of section 15.4(d), Schedule 3, Table C, Number 8 of the FNSW Grievance and Disciplinary Regulations.</p> | <p>3 <u>Plea:</u> Guilty. <u>Finding:</u> Guilty</p> <p><u>Determination.</u></p> <p>Two (2) Fixture Suspension</p> <p><u>Reasons:</u> <i>The GPT, based on the evidence of the Match Officials, found there was sufficient evidence that the Respondent did continue to question decisions made by the Match Officials despite receiving a warning. This continued behavior resulted in him being sent off.</i></p> <p><i>The GPT, in determining the total sanction for the Respondent decided to have the second charge served concurrently, based on the evidence that the Match Official did in fact make a conscious decision during the match to not take action believing it was not a serious breach of the regulations.</i></p> <p><u>Therefore, the Respondent is to serve a combined suspension of five (5) fixtures.</u></p> <p><u>NB. The Respondent is to serve the suspension as a Team Official and in accordance with section 14.6 of the Regulations, in particular, sub-sections 14.6(h) and (i) which provide that, on the day of a Fixture, the Respondent must not:</u></p> |

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| | <p>a. <u>enter the field of play (or court), its surrounds, the technical area, players race, dressing rooms or any other place within a stadium, venue, ground or Centre where players and/or officials are likely to assemble to prepare for a match;</u></p> <p>b. <u>be seated in an area in a stadium, venue, ground or Centre normally reserved for players and/or officials; and</u></p> <p>c. <u>in the case of coach, must not engage or attempt to engage a third party to relay coaching instructions.</u></p> <p><u>For the avoidance of doubt, the Respondent is able to conduct training sessions and coach during pre-season trial and friendly matches. However, such matches will not count towards the serving of the suspension.</u></p> <p>NB. Mr Kevin Wilson, Chairman of Central Coast Futsal Club, represented the Respondent at the Hearing. Permission was obtained from the Respondent via telephone before the Hearing took place.</p> |
| <p>Costs:</p> <p>The Tribunal determined that the costs of the Tribunal, as determined by FNSW, be met by the Respondent.</p> | |

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.

22 November 2016
Mendo Cklamovski
Member

GENERAL PURPOSES TRIBUNAL